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**SUBPART 1
GENERAL PROVISIONS**

Applicability

108.01.1 (1) This Part applies to all persons engaged in acceptance, forwarding, storage and carriage by air of cargo, mail and in-flight supplies and regulates -

- (a) aviation security in respect of all cargo, mail and in-flight supplies entering security controlled or security restricted areas of an aerodrome;
 - (b) security measures required for the storage and carriage of cargo, mail and in-flight supplies by an air carrier or aircraft operator;
 - (c) training requirements for personnel involved in handling air cargo, mail and in-flight supplies; and
 - (d) any other aspect incidental to air cargo security or the security of mail or in-flight supplies.
- (2) The operator of security designated aerodrome, an air carrier or aircraft operator, a regulated agent, a known consignor and a regulated supplier of in-flight supplies or airports supplies are each respectively responsible, according to the applicable requirements of this Part, for the implementation of the measures set out in this Part.
- (3) A person may not act as -
- (a) a regulated agent to provide a consignment of cargo or mail to an air carrier or aircraft operator for carriage by air except under the authority of a regulated agent certificate granted in accordance with this Part and any disclosed elements of the NCASP;
 - (b) a certificated known consignor to provide a consignment of cargo or mail to an air carrier or aircraft operator for carriage by air except under the authority of a known consignor certificate granted in accordance with this Part and any disclosed elements of the NCASP; or
 - (c) a regulated supplier of in-flight supplies, except under the authority of a regulated supplier certificate granted in accordance with this Part and any disclosed elements of the NCASP.

General restrictions on carriage by air of cargo, mail and in-flight supplies

- 108.01.2** (1) An air carrier or aircraft operator may not carry unknown cargo.
- (2) An air carrier must treat all unaccompanied baggage as unknown cargo.
- (3) Assembled explosive and incendiary devices that are not carried in accordance with the applicable authorisations and safety standards and requirements are prohibited articles in consignments of cargo.

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- (4) Explosive and incendiary devices, whether assembled or not, and their component parts are prohibited articles in consignments of mail.
- (5) Any air carrier or aircraft operator or regulated agent has the right -
- (a) to examine or cause to be examined by his or her handling agent, the packaging and contents of all cargo tendered for carriage by air, and to inquire into the correctness or sufficiency of information or documentation submitted in respect of any cargo; and
 - (b) without assuming any liability, to refuse, delay or return any cargo, if there is a reasonable belief that the cargo may contain explosives or dangerous devices.
- (6) A regulated agent, an air carrier or aircraft operator or any other entity approved by the Authority must screen all cargo and mail before being loaded on to an aircraft, unless the -
- (a) required security controls have been applied to the consignment by a regulated agent and the consignment has been protected from unauthorised interference from the time that those security controls were applied and until loading;
 - (b) required security controls have been applied to the consignment by a known consignor and the consignment has been protected from unauthorised interference from the time that those security controls were applied and until loading; or
 - (c) consignment is exempt from screening and has been protected from unauthorised interference from the time that it became identifiable air cargo or identifiable air mail and until loading.
- (7) A regulated agent engaged in the acceptance or storage or the forwarding or handling of cargo or in-flight supplies to be carried by air must hold a regulated agent's certificate which is an aviation document and is issued by the Executive Director.
- (8) Any person in the employ of a regulated agent and involved with known cargo or in-flight supplies must complete the relevant training prescribed by this Part and must hold a certificate of proficiency for such training.
- (9) A regulated agent must draw up a security programme containing all information stipulated in Appendix P to the NCASP, and setting out the manner in which such regulated agent will operate and that security programme must be submitted to the Executive Director for approval.
- (10) Each regulated agent must have a designated official responsible for the implementation, application and supervision of the security controls as prescribed by this Part and the NCASP, and such designated official must undergo the training as prescribed by this Part and the NCASP.
- (11) Any person applying for certification as a regulated agent or as a certificated known consignor, must permit an inspector, authorised officer or authorised person designated by the Executive Director pursuant to section 37(1) of the Act to carry out inspections and audits which may be necessary to verify whether the security measures regarding the handling, transportation and storage of known cargo comply with the requirements of this Part and with any disclosed elements of the NCASP.

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(12) The holder of a regulated agent's certificate, a known consignor's certificate or a regulated supplier's certificate must permit a designated inspector, authorised officer or authorised person referred to in subregulation (11) to carry out such inspections and audits for the purposes of determining compliance with the appropriate requirements prescribed in this Part or in any disclosed elements of the NCASP.

(13) The holder of a regulated agent's certificate, a known consignor's certificate or a regulated supplier's certificate must permit an authorised officer, inspector or authorised person referred to in subregulation (11) to conduct random checks of cargo, emanating from and through regulated agents, to ensure compliance with this Part and with any disclosed elements of the NCASP.

SUBPART 2**DUTIES AND FUNCTIONS OF REGULATED AGENTS, KNOWN CONSIGNORS AND AIR CARRIERS OR AIRCRAFT OPERATORS****General duties of regulated agents**

108.02.1 Any person certificated by the Executive Director as a regulated agent must -

- (a) maintain records of all shipping documents documenting the transport and handling history of all cargo submitted for carriage in accordance with the requirements of this Part or of any disclosed elements of the NCASP, and, unless otherwise required by the Executive Director or the NCASP, the period of retention of such records must be not less than seven years;
- (b) ensure that, after the receipt of known cargo, and while such cargo is under his or her or its control, such cargo is safeguarded from unlawful interference in accordance with the security measures stipulated in the security programme referred to in regulation 108.01.2(9);
- (c) ensure that the acceptance and handling of cargo and shipping documentation is carried out by trained personnel, who have received job-specific cargo security training, as stipulated in the security programme, required in terms of this Part;
- (d) complete any physical checks or screening in the manner prescribed in this Part and in any disclosed elements of the NCASP, for the purpose of determining whether consignments of cargo contain any explosives, incendiary devices or any other prohibited or harmful articles which may be used to commit acts of unlawful interference;
- (e) ensure that known cargo is sealed with tamper-evident seals and that such seals are intact;
- (f) conduct security background checks on all personnel recruited for accepting all cargo and processing shipping documentation and storing, forwarding or handling of known cargo intended for carriage by air; and
- (g) ensure that each consignment of known cargo is accompanied by a consignment security declaration in the manner stipulated in any disclosed elements of the NCASP.

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Duties of regulated agents regarding known consignors

108.02.2 All regulated agents who conduct business with, and receive, known cargo from known consignors must -

- (a) verify whether the known consignor is a holder of a known consignor certificate issued in terms of this Part;
- (b) document the identity and address of the known consignors and advise the Executive Director of the details of these known consignors;
- (c) have on record a declaration from the known consignor stating that -
 - (i) consignments of known cargo are prepared in secured premises;
 - (ii) all personnel employed to handle known cargo and shipping documentation have been subjected to background checks and have received job-specific cargo security training as stipulated in the NCASP;
 - (iii) consignments of known cargo are protected from unlawful interference during preparation, storage and transportation;
 - (iv) consignments do not contain any explosives or other dangerous goods or devices or substances, unless declared as such; and
 - (v) air waybills, dispatch notes or other valid transportation documents have been signed by authorised personnel; and
- (d) conduct random inspection of the premises and cargo of known consignors to ensure that the requirements of this Part and of any disclosed elements of the NCASP are adhered to and, where a substantial non-compliance is identified in the course of such inspection, must forthwith notify the Executive Director in writing providing particulars of every identified non-compliance.

Duties of air carriers or aircraft operators

108.02.3 (1) An air carrier or aircraft operator is responsible for ensuring that appropriate security controls have been carried out, and in so doing, the air carrier or aircraft operator must -

- (a) not accept cargo or mail for carriage on an aircraft engaged in commercial air transport operations, unless the application of screening or other security controls is confirmed and accounted for by a regulated agent or an entity that is approved the Authority;
- (b) ensure that cargo and mail which cannot be confirmed and accounted for by a regulated agent or an entity that is approved by the Authority is subjected to screening;
- (c) carry out appropriate security controls to be applied to any given consignment to the required level;
- (d) protect the consignment from unlawful interference while it is in the custody of the airline;

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- (e) ensure that where screening of cargo and mail is conducted, screening is carried out using an appropriate method or methods, taking into account the nature of the consignment;
- (f) ensure that all consignments have been secured to an appropriate level before being placed in the aircraft;
- (g) ensure that all consignments placed on board the aircraft are recorded on the aircraft manifest;
- (h) ensure that cargo and mail that has been confirmed and accounted for must then be issued with a security status which must accompany, either in an electronic format or in writing, the cargo and mail throughout the secure supply chain;
- (i) ensure that transfer cargo and mail has been subjected to appropriate security controls prior to being loaded on an aircraft engaged in commercial air transport operations departing from Namibia;
- (j) ensure that cargo and mail to be carried on a commercial aircraft are protected from unauthorised interference from the point screening or other security controls are applied until departure of the aircraft;
- (k) ensure that enhanced security measures apply to high-risk cargo or mail to appropriately mitigate the threats associated with it;
- (l) ensure that appropriate security controls, including screening where practicable, are applied to cargo and mail, prior to their being loaded onto an aircraft engaged in commercial air transport operations;
- (m) ensure that catering, stores and in-flight supplies intended for carriage on passenger commercial flights are subjected to appropriate security controls and thereafter protected until loaded into the aircraft; and
- (n) ensure that merchandise and supplies introduced into security restricted areas are subject to appropriate security controls, which may include screening.

Requirements for certification of known consignors

108.02.4 Any person who has a known consignor relationship with a regulated agent and wishes to be certificated by the Executive Director as a known consignor must apply to Executive Director for certification as a known consignor in accordance with Subpart 5.

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**SUBPART 3
SECURITY CONTROLS****General**

108.03.1 (1) An air carrier or aircraft operator may not transport cargo by air unless a valid air waybill or other valid transport documentation recognised by the Executive Director accompanies the cargo.

(2) Any person tendering a diplomatic bag for carriage by air must ensure that it is properly sealed and marked and may only be carried by air, without an airway bill, when accompanied by an employee of the respective embassy holding -

- (a) a valid passport issued to the respective embassy employee; and
- (b) a letter from the official in charge of the embassy from which the diplomatic bag originates, authorising the specific employee to accompany the diplomatic bag.

(3) Diplomatic cargo accompanied by an air waybill must comply with the following requirements:

- (a) the status and number of packages must be clearly indicated on the air waybill;
- (b) the cargo must be properly sealed and marked and bear visible external marks of its character; and
- (c) the person tendering the cargo must be duly authorised in writing by the sending state or originating embassy and must carry official identification.

Regulated agents: acceptance and delivery of consignments

108.03.2 (1) When accepting any consignment, a regulated agent must establish whether the entity from which it receives the consignment is a regulated agent, a known consignor or neither of these.

- (2) The person delivering the consignment to the regulated agent or air carrier or aircraft operator must present an identity card, passport, driving licence or other document, which includes his or her photograph and which has been issued by or is recognised by the Executive Director.
- (3) The identity card, passport, licence or other document referred to in subregulation (2) must be used to establish the identity of the person delivering the consignment.
- (4) When accepting a consignment to which not all required security controls have previously been applied, the regulated agent must ensure that it is screened pursuant to regulation 108.03.6, and that it complies with any disclosed elements of the NCASP.
- (5) After the security controls pursuant to subregulations (1) to (3) have been applied, the regulated agent must ensure that -
 - (a) access to the consignment is controlled; and
 - (b) the consignment is protected from unauthorised interference until it is handed over to another regulated agent or air carrier or aircraft operator.

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(6) After the security controls pursuant to subregulations (1) to (5) have been applied, the regulated agent must ensure that any consignment tendered to an air carrier or aircraft operator or another regulated agent is accompanied by appropriate recognised documentation, either in the form of an air waybill or a separate declaration and either in an electronic format or in writing.

(7) The documentation must be available for inspection by authorised representatives of the Executive Director at any point before the consignment is loaded into an aircraft and must provide the following information:

- (a) the site specific name and address of the regulated agent that issued the security status and its unique alphanumeric identifier as received from the Executive Director;
- (b) a unique identifier of the consignment, such as the number of the master air waybill;
- (c) the content of the consignment;
- (d) the security status of the consignment, stating -
 - (i) 'SPX', meaning secure for passenger, all-cargo and all-mail aircraft;
 - (ii) 'SCO', meaning secure for all-cargo and all-mail aircraft only;
- (e) the reason that the security status was issued, stating
 - (i) 'KC', meaning received from known consignor;
- (ii) the means or method of screening used;
- (iii) the grounds for exempting the consignment from screening;
- (f) the name of the person who issued the security status or an equivalent identification, and the date and time of issue; and
- (g) the site specific name and address or unique identifier received from the Executive Director, of any regulated agent who has accepted the security status given to a consignment by another regulated agent.

(8) The consolidations pursuant to subregulation (7)(c), (e), (f) and (g) will be satisfied where the regulated agent is able to establish the nature of the contents, the reason that the security status was issued and the name of the person who issued the security status and the date and time of issue, respectively, by a verifiable audit trail at any time before the consignment is loaded on an aircraft and afterwards for the duration of the flight or for 24 hours, whichever is longer.

(9) When accepting a consignment to which not all required security controls have previously been applied, the regulated agent may also elect not to apply the security controls pursuant to this regulation, but to hand the consignment over to another regulated agent to ensure the application of these security controls.

(10) Security controls to be applied by a regulated agent are subject to any additional provisions laid down in a separate aviation directive issued by the Executive Director.

Security controls to be applied by known consignor

108.03.3 A known consignor must ensure that -

- (a) there is a level of security on the site or at the premises sufficient to protect identifiable air cargo and identifiable air mail from unauthorised interference;
- (b) all personnel with access to identifiable air cargo or identifiable air mail to which the required security controls have been applied have been recruited and trained in accordance with the NCASP;
- (c) during production, packing, storage, despatch or transportation, as appropriate, identifiable air cargo and identifiable air mail is protected from unauthorised interference or tampering;
- (d) when, for whatever reason, these security controls have not been applied to a consignment or where the consignment has not been originated by the known consignor for its own account, the known consignor must clearly identify this to the regulated agent so that regulation 108.03.2(4) can be applied; and
- (e) consignments to which the appropriate security controls have not been applied are screened in accordance with this Part and with any disclosed elements of the NCASP.

Known cargo

108.03.4 (1) A person may not place cargo on board an air carrier's or aircraft operator's unless the cargo has been -

- (a) subjected to security controls prior to loading whereupon it is deemed to be known cargo and must be declared as such; and
 - (b) packed and made known and secured by a certificated known consignor and handed to a regulated agent in compliance with the provisions of this Part and with any disclosed elements of the NCASP.
- (2) Known cargo, after acceptance by a regulated agent, must be kept in a secure area, as stipulated in the security programme, to protect it from unlawful interference while in the custody of the regulated agent.
- (3) Where known cargo is forwarded from a known consignor to a regulated agent or from one regulated agent to another regulated agent and is kept secure, such cargo must continue to be treated as known cargo.
- (4) The air carrier or aircraft operator must ensure that cargo is at all times safeguarded while on the ramp prior to loading on board an aircraft.
- (5) Prior to loading on board a commercial air transport aircraft, the air carrier or aircraft operator must ensure that all cargo consignments are visually inspected to ensure that they have not been tampered with.

Unknown cargo

108.03.5 (1) Cargo originating from a consignor that has not been subjected to the security controls prescribed in this Part and with any disclosed elements of the NCASP must be treated as unknown cargo.

(2) Known cargo that, after acceptance by a regulated agent, has not been stored in a secure area, as stipulated in the security programme, must be treated as unknown cargo.

(3) Known cargo, where the seals on the packaging are broken or where there is evidence that the seals or the cargo have or has been tampered with, except where the cargo has been resealed with tamper proof seals by a regulated agent, must be treated as unknown cargo.

(4) Cargo presented as unknown cargo must be subjected to security controls prescribed in this Part before being loaded into an aircraft.

Screening of cargo and mail

108.03.6 (1) When screening cargo or mail the means or method -

- (a) most likely to detect prohibited articles must be employed, taking into consideration the nature of the consignment; and
- (b) employed must be of a standard sufficient to reasonably ensure that no prohibited articles are concealed in the consignment.

(2) Where the screener cannot be reasonably sure that no prohibited articles are contained in the consignment, the consignment must be rejected or be rescreened to his or her satisfaction.

Cargo and mail exemptions

108.03.7 (1) The security controls required by this Part are not applicable in respect of -

- (a) human remains;
- (b) live animals;
- (c) *bona fide* consignments of life-saving materials or other essential medical supplies, human organs, blood plasma or similar materials; and
- (d) any nuclear materials.

(2) The regulated agent tendering consignments for carriage by air that are exempted from security controls in terms of subregulation (1) must ensure that such consignments are -

- (a) clearly declared on shipping documents as such;
- (b) physically checked upon receipt for signs of tampering;

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- (c) subjected to documentary checks to establish on face value the correctness and sufficiency of information on any document; and (d) protected from unauthorised interference at all times.
- (3) The cargo mentioned in subregulation (1) is only exempted from security controls if it is tendered by a regulated agent.
- (4) The Executive Director may, where he or she is satisfied that -
- (a) the requirement for, or objectives of, screening have been substantially complied with;
 - (b) in all the particular circumstances screening should not be required; and
 - (c) there is no risk of compromise to aviation safety or security,

make provision for written exemptions from screening to be specified in the NCASP or by an aviation directive issued pursuant to this Part.

Protection of cargo and mail during transportation

108.03.8 (1) In order to ensure that consignments to which the required security controls have been applied are protected from unauthorised interference during transportation -

- (a) the regulated agent or known consignor must pack and seal the consignment in order to ensure that any tampering would be evident;
- (b) the cargo load compartment of the vehicle in which the consignments are to be transported must be locked or sealed or curtain sided vehicles must be secured so as to ensure that any tampering would be evident or the load area of flatbed vehicles must be kept under observation;
- (c) the transporter who transports on behalf of the regulated agent or known consignor must sign the declaration as contained in Appendix 1, unless the transporter is itself approved as a regulated agent;
- (d) the signed declaration must be retained by the regulated agent, known consignor for whom the transporter provides transport; and
- (e) on request, a copy of the signed declaration must also be made available to the regulated agent or air carrier or aircraft operator receiving the consignment or to the Executive Director.

(2) The requirements contained in subregulation (1)(b), (c), (d) and (e) may not apply during airside transportation or in any other security controlled area.

Protection of cargo and mail at airports

108.03.9 (1) Consignments of cargo and mail that are in a sterile area, are considered to be protected from unauthorised interference.

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(2) Consignments of cargo and mail that are stored in a lockable store or on the ramp are sufficiently protected from unauthorised interference if -

- (a) they are physically protected so as to prevent the introduction of any article which might be used to commit an act of unauthorised interference; or
- (b) they are not left unattended and access is limited to persons involved in the protection and loading of cargo and mail into the aircraft.

Air carrier company mail and air carrier company materials to be loaded into aircraft

108.03.10 (1) Before being loaded into the hold of an aircraft, air carrier mail and air carrier materials must either be screened and protected in accordance with regulation 108.03.6 or be subjected to security controls and protected in accordance with regulation 108.03.9.

(2) Before being loaded into any part of an aircraft other than the hold of the aircraft, air carrier mail and air carrier materials must be screened and protected in accordance with the provisions relating to cabin baggage.

Air carrier company materials used for passenger and baggage processing

108.03.11 (1) Co-Mat which are used for the purposes of passenger and baggage processing and which could be used to compromise aviation security must be protected or kept under surveillance in order to prevent unauthorised access.

(2) Self-check-in and applicable internet options allowed for use by passengers must be considered to be authorised access to such materials.

(3) Discarded materials which could be used to facilitate unauthorised access or to move baggage either into a security restricted area or into an aircraft must be destroyed or otherwise rendered permanently ineffective for any of the purposes referred to in subregulation (1).

(4) Departure control systems and check-in systems must be managed in such a manner as to prevent unauthorised access.

(5) Self-check-in allowed for use by passengers must be considered to be authorised access to such systems.

SUBPART 4**IN-FLIGHT SUPPLIES, REGULATED SUPPLIER OF IN-FLIGHT SUPPLIES OR AIRPORT SUPPLIES AND KNOWN SUPPLIER OF IN-FLIGHT SUPPLIES OR AIRPORT SUPPLIES****General provisions**

108.04.1 (1) Unless otherwise stated, the operator of a security designated aerodrome, an air carrier or aircraft operator, a regulated agent, a known consignor and a regulated supplier of in-flight supplies or airport supplies are each according to the applicable requirements in this Part, responsible for the implementation of the measures set out in this Part.

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(2) Supplies are considered to be in-flight supplies from the time that they are identifiable as supplies to be taken on board an aircraft for use, consumption or purchase by passengers or crew members during a flight.

Security controls: in-flight supplies

108.04.2 (1) In-flight supplies must be screened before being taken into a security restricted area, unless

- (a) the required security controls have been applied to the supplies by an air carrier or aircraft operator that delivers the supplies to its own aircraft and the supplies have been protected from unauthorised interference from the time that those controls were applied until delivery at the aircraft;
- (b) the required security controls have been applied to the supplies by a regulated supplier of in-flight supplies and the supplies have been protected from unauthorised interference from the time that those controls were applied until arrival at the security restricted area or, where applicable, until delivery to the air carrier or aircraft operator or another regulated supplier; or
- (c) the required security controls have been applied to the supplies by a known supplier of in-flight supplies and the supplies have been protected from unauthorised interference from the time that those controls were applied until delivery to the air carrier or aircraft operator or regulated supplier.

(2) Any in-flight supplies received from a regulated supplier or a known supplier that shows signs of being tampered with, or where there is other reason to believe that it has not been protected from unauthorised interference from the time that controls were applied, must be screened.

Screening of in-flight supplies

108.04.3 When screening in-flight supplies, the means or method employed must take into consideration the nature of the supplies and must be of a standard sufficient to reasonably ensure that no prohibited articles are concealed in the supplies.

Designation of known suppliers of in-flight supplies

108.04.4 (1) Any entity that ensures application of the security controls referred to in this Part and delivers in-flight supplies, but not directly to aircraft, may be designated as a known supplier by the entity to whom it delivers, but this provision does not apply to a regulated supplier of in-flight supplies.

- (2) In order to be designated as a known supplier, the entity must submit a
‘Declaration of Commitment by Known Suppliers of In-flight Supplies’ as contained in Appendix 3, to each entity to whom it delivers.
- (3) The senior accountable manager of the entity must sign the declaration referred to in subregulation (2), and the signed declaration must be retained by the entity to whom the known supplier delivers and a copy of the signed declaration must forthwith after receipt be delivered by the entity to the Executive Director.
- (4) If there are no deliveries within a period of two years, the status of the known supplier expires.

- (5) If the Executive Director or the entity to whom the known supplier delivers is no longer satisfied that the known supplier complies with the requirements of this Part, the entity concerned must forthwith withdraw the status of the known supplier and immediately inform the Executive Director of the withdrawal.

Security controls to be applied by air carrier or aircraft operator, regulated supplier of in-flight supplies and known supplier of in-flight supplies

108.04.5 An air carrier or aircraft operator engaged in commercial air transport, a regulated supplier of in-flight supplies and a known supplier of in-flight supplies must -

- (a) appoint a person responsible for security in the entity;
- (b) ensure that persons with access to in-flight supplies receive security awareness training before being given access to such supplies;
- (c) prevent unauthorised access to its premises and in-flight supplies;
- (d) reasonably ensure that no prohibited articles are concealed in in-flight supplies; and
- (e) apply tamper-evident seals to, or physically protect, all vehicles and containers that transport in-flight supplies at all times, except that this requirement does not apply during airside transportation.

Airport supplies: known supplier of airport supplies

108.04.6 (1) An operator of a security designated aerodrome must ensure the implementation of the measures set out in this Subpart.

(2) Supplies are airport supplies from the time that they are identifiable as supplies to be sold, used or made available in security restricted areas of an airport.

Security controls: airport supplies

108.04.7 (1) Airport supplies must be screened before being allowed into security restricted areas, unless security controls have been applied to the supplies by a known supplier and the supplies have been protected from unauthorised interference from the time that those controls were applied until they are taken into the security restricted area.

(2) Airport supplies which originate in the security restricted area may be exempted from these security controls.

(3) Any airport supply received from a known supplier that shows signs of being tampered with, or where there is reason to believe that it has otherwise not been protected from unauthorised interference from the time that controls were applied, must be screened.

(4) Upon delivery at the outlet in the security restricted area, a visual check of the airport supplies must be carried out by the staff of the outlet in order to ensure that there are no signs of tampering.

Screening of airport supplies

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108.04.8 When screening airport supplies, the means or method employed must take into consideration the nature of the supplies and must be of a standard sufficient to reasonably ensure that no prohibited articles are concealed in the supplies.

Designation of known suppliers of airport supplies

108.04.9 (1) The operator of a security designated aerodrome may designate any entity that ensures the security controls as referred to in this Part and delivers airport supplies as a known supplier of airport supplies.

(2) In order to be designated as a known supplier, the entity must submit to the operator of a security designated aerodrome a 'Declaration of Commitment by Suppliers of Airport Supplies' as contained in Appendix 4.

(3) The declaration referred to in subregulation (2) must be signed by the senior accountable manager of the entity and the signed declaration must be retained by the operator of the security designated aerodrome as evidence of its designation of the known supplier.

(4) If there are no deliveries within a period of two years, the status of known supplier expires.

(5) If either the Executive Director or the operator of a security designated aerodrome is no longer satisfied that the known supplier complies with the requirements of this Part, the operator of security designated aerodrome must forthwith withdraw the status of the known supplier and advise the Executive Director in writing of the withdrawal.

Security controls to be applied by known supplier of airport supplies

108.04.10 A known supplier of airport supplies must -

- (a) appoint a person responsible for security in the entity;
- (b) ensure that persons with access to airport supplies receive security awareness training before being given access to these supplies;
- (c) prevent unauthorised access to its premises and airport supplies;
- (d) reasonably ensure that no prohibited articles are concealed in airport supplies; and
- (e) apply tamper-evident seals to, or physically protect, all vehicles and containers that transport airport supplies.

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SUBPART 5
CERTIFICATIONS**Application for certification as regulated agent**

108.05.1 (1) An application for a regulated agent's certificate and renewal of such a certificate must -

- (a) be made to the Executive Director in the appropriate format as contained in Appendix P to the NCASP;
 - (b) specify every site or sites in respect of which certification is sought;
 - (c) include duplicate copies of the security programme of procedures referred to in regulation 108.01.3(9);
 - (d) include a duly authorised and signed "Declaration of Security" as contained in Appendix P to the NCASP;
 - (e) be accompanied by the appropriate fee or fees as prescribed in Part 187; and
 - (f) designate at least one person at each site who has successfully completed a security background check in accordance with the provisions of Part 114 and the NCASP, and who must be responsible for the implementation of the submitted security programme for each site.
- (2) A designated inspector, authorised officer or authorised person must examine the security programme and then make an on-site verification of every specified site in order to assess whether the applicant complies with the requirement of this Part, and with any disclosed elements of the NCASP.
- (3) If the Executive Director is not satisfied with the information provided under subregulation (1), then the reason for the dissatisfaction must promptly be notified to the entity seeking certification as a regulated agent.

Regulated agent's certificate

108.05.2 (1) The Executive Director must grant the application, if he or she is satisfied that the applicant complies with the requirements set out in this Part, and with any disclosed elements of the NCASP, and that the grant of such application will not be contrary to the interests of civil aviation safety and security.

- (2) Where the application is granted, the Executive Director must issue the regulated agent's certificate and must ensure that the necessary details of the regulated agent are entered into the civil aviation registry.
 - (3) When making the entry in the civil aviation registry in terms of subregulation (2), the Executive Director must give each approved regulated agent a unique alphanumeric identifier.
- (4) The certificate issued under this regulation is an aviation document for the purposes of the Act.

- (5) The certificate is, unless otherwise specified by the Executive Director in any case, valid for a period of 12 months from the date of issue.

Duties of certificate holder

108.05.3 The regulated agent must at all times operate in accordance with the approved security programme or an approved amendment thereto.

Renewal of regulated agent's certificate

108.05.4 (1) The holder of a certificate must apply to the Executive Director for the renewal of such certificate not later 60 days before the date on which the certificate expires.

- (2) In considering an application for renewal of a certificate, the Executive Director may conduct an investigation that he or she considers necessary to ascertain whether the applicant continues to comply with the requirements of the Act, this Part and with any disclosed elements of the NCASP.
- (3) The process of renewal must include an on-site verification in order to assess whether the regulated agent still complies with the requirements of this Part and with any disclosed elements of the NCASP.
- (4) An application for renewal must be granted and the certificate issued, if the Executive Director is satisfied that the applicant will comply with the provisions of this Part, and with any disclosed elements of the NCASP, and that the grant of such application will not be contrary to the interests of civil aviation safety and security.
- (5) If the Executive Director is not satisfied, he or she must notify the regulated agent, stating the reasons in the notification, and grant the regulated agent the opportunity to rectify or supplement any defect within the period determined by the Executive Director, after which period the Executive Director must grant or refuse the application concerned.
- (6) The application for the renewal of a certificate must be made on the form referred to in regulation 108.05.1(1)(a) and must be accompanied by the appropriate fee as prescribed in Part 187.
- (7) The provisions of regulation 108.05.01 apply, with necessary changes required by the context, to an application for renewal of a regulated agent's certificate.

Amendments

108.05.5 (1) The regulated agent must submit any amendments to an approved security programme to the Executive Director for approval before implementing any substantial change in any security procedure.

(2) If the Executive Director is satisfied that the amendments will not contravene the provisions of this Part and the NCASP, the Executive Director must certify in writing on both copies of the amendment to the approved security programme that such amendment has been approved, and must return one copy of the approved amendment to the regulated agent.

Application for certification as known consignor

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108.05.6 (1) An application for a known consignor's certificate and renewal of such a certificate must -

- (a) be made to the Executive Director in the appropriate form as contained in Appendix Q of the NCASP;
 - (b) specify every site or sites in respect of which certification is sought;
 - (c) include duplicate copies of the known consignor's security programme;
 - (d) include a duly authorised and signed "Declaration of Commitments - Known Consignor" as contained in Appendix Q to the NCASP;
 - (e) be accompanied by the appropriate fee or fees as prescribed in Part 187; and
 - (f) designate at least one person at each site who has successfully completed a background check in accordance with the provisions of Part 114 and the NCASP, and who is responsible for the implementation of the submitted security programme for each site.
- (2) A designated inspector, authorised officer or authorised person acting on behalf of the Executive Director, must examine the security programme and then make an on-site verification of every specified site in order to assess whether the applicant complies with the requirement of this Part and with any disclosed elements of the NCASP for the purposes of certification as a known consignor.
- (3) If the Executive Director is not satisfied with the information provided under subregulation (1), then the reason for the dissatisfaction must promptly be notified to the entity seeking certification as a known consignor.
- (4) The Executive Director may conduct an inspection on the operation of an applicant wishing to be certificated as a known consignor, to ascertain whether the applicant is able to comply with the provisions of this Part.

Designation of inspectors, authorised officers and authorised persons for certification of known consignors

108.05.7 (1) Despite the provisions of section 37 of the Act, the Executive Director may designate inspectors, authorised officer or authorised persons to conduct inspections on known consignors for the purpose of granting known consignor certificates.

(2) The privileges referred to in subregulation (1) must be exercised and performed according to the conditions, requirements, rules, procedures and standards as prescribed in this Part and the Act.

Known consignor certificate

108.05.8 (1) If the Executive Director is satisfied that the -

- (a) security measures and handling, transportation and storage of known cargo of the applicant for certification as a known consignor comply with the requirements of this Part;
- (b) senior accountable manager of the applicant is a fit and proper person for the purposes of the Act; and
- (c) grant of such application will not be contrary to the interests of civil aviation safety and security,

the Executive Director must grant the application made in terms of regulation 108.05.6.

(2) A known consignor certificate is valid for a period of 24 months from the date of issue, unless the Executive Director specifies a longer term, and in specific cases for good cause, a shorter term.

- (3) The known consignor must submit all amendments to an approved security programme to the Executive Director for approval before implementing any substantial change in any security procedure of the known consignor.

Renewal of known consignor certificate

108.05.9 (1) The holder of a known consignor certificate must apply to the Executive Director for the renewal of such certificate not later than 60 days before the date on which the certificate expires.

(2) In considering an application for renewal of a known consignor certificate, the Executive Director may conduct an investigation that he or she considers necessary to ascertain whether the applicant continues to comply with the requirements of the Act, this Part and any disclosed elements of the NCASP.

(3) The application for the renewal of a certificate must be made on the form referred to in regulation 108.05.6(1)(a) and must be accompanied by the appropriate fee as prescribed in Part 187.

(4) The provisions of regulation 108.05.06 apply with necessary changes required by the context to the application for the renewal of a known consignor certificate.

Certification of regulated suppliers of in-flight supplies and airport supplies

108.05.10 (1) A person may not act as a regulated supplier of -

- (a) in-flight supplies to provide a consignment of in-flight supplies to an air operator for carriage by air; or
- (b) airport supplies to any airport,

except under the authority of a regulated supplier's certificate granted by the Executive Director in accordance with this Part.

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(2) An entity, with the exception of an air carrier or aircraft operator that applies the security controls under regulation 108.04.2 itself and delivers supplies only to its own aircraft, must ensure that the security controls referred to in regulation 108.04.2 will apply at all times to the delivery of in-flight supplies directly to an aircraft as a condition of certification as a regulated supplier of in-flight supplies.

- (3) An application for a regulated supplier's certificate and renewal of such a certificate must -
- (a) be made to the Executive Director in the form and manner determined by the Executive Director;
 - (b) specify every site or sites in respect of which certification is sought, and provide details of the location and characteristics of the site including a site map or plan;
 - (c) include duplicate copies of the regulated supplier air cargo security programme of procedures referred to in regulation 108.01.3(9);
 - (d) include a duly authorised and signed "Declaration of Commitments Regulated Suppliers of In-flight Supplies or Airport Supplies" as contained in Appendix 2;
 - (e) be accompanied by the appropriate fee or fees as prescribed in Part 187;
 - (f) designate at least one person at each site who has successfully completed a security background check in accordance with the provisions of Part 114 and the NCASP, and who is responsible for the implementation of the submitted security programme for each site.

(4) A designated inspector, authorised officer or authorised person acting on behalf of the Executive Director, must examine the security programme and then make an onsite verification of every specified site in order to assess whether the applicant complies with the requirement of this Part.

(6) If the Executive Director is not satisfied with the information provided under subregulation (3), then the reason for the dissatisfaction must promptly be notified to the entity seeking certification as a regulated supplier.

Regulated supplier's certificate

108.05.11 (1) The Executive Director must grant the application if he or she is satisfied that the -

- (a) applicant complies with the requirements of this Part;
- (b) senior accountable manager of the applicant is a fit and proper person for the purposes of the Act; and
- (c) grant of such application will not be contrary to the interests of civil aviation safety and security.

(2) Where the application is granted, the Executive Director must issue the regulated suppliers certificate and must ensure that the necessary details of the regulated supplier are entered into the civil aviation registry of regulated agents, known consignors and regulated suppliers not later than the close of business on the next working day.

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- (3) When making the database entry in terms of subregulation (2), the Executive Director must give each approved site a unique alphanumeric identifier in the standard format.
- (4) The certificate issued under this regulation is an aviation document for the purposes of the Act and, unless otherwise specified by the Executive Director in any case, is valid for a period of 24 months from the date of issue.
- (5) The applicant must submit a security programme to the Executive Director which must describe the methods and procedures which are to be followed by the supplier in order to comply with the requirements of this Part, and with any disclosed elements of the NCASP.
- (6) The security programme must describe how compliance with these methods and procedures is to be monitored by the regulated supplier itself.
- (7) The applicant must also submit to the Executive Director a 'Declaration of Commitment - Regulated Supplier of In-flight Supplies or Airport Supplies' as contained in Appendix 2.
- (8) The senior accountable manager of the applicant must sign the declaration referred to in subregulation (7), and the Executive Director must retain the signed declaration.
- (9) The Executive Director or designated inspector, authorised officer or person acting on behalf of the Executive Director, must examine the security programme and then make an on-site verification of the sites specified in order to assess whether the applicant complies with the requirements of this Part.
- (10) If the Executive Director is not satisfied, the reasons for the dissatisfaction must promptly be notified to the entity seeking approval as a regulated supplier.

Renewal of regulated supplier's certificate

108.05.12 (1) The holder of a regulated supplier's certificate must apply to the Executive Director for the renewal of such certificate not later 60 days before the date on which the certificate expires.

- (2) In considering an application for renewal of a certificate, the Executive Director may conduct an investigation that he or she considers necessary to ascertain whether the applicant continues to comply with the requirements of the Act and this Part.
- (3) The process of renewal must include an on-site verification in order to assess whether the regulated supplier still complies with the requirements of this Part.
- (4) An inspection at the premises of the regulated supplier by the Executive Director in accordance with the NCASQCP may be considered as an on-site verification, provided that it covers all the requirements of this Part.
- (5) An application for renewal must be granted and the certificate issued if the
Executive Director is satisfied that the applicant still complies with the provisions of this Part, and that the grant of such application will not be contrary to the interests of civil aviation safety and security.
- (6) If the Executive Director is not satisfied, he or she must notify the regulated supplier, stating the reasons in the notification, and grant the regulated supplier the opportunity to rectify or supplement

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any defect within the period determined by the Executive Director, after which period the Executive Director must grant or refuse the application concerned.

- (7) An application for the renewal of a certificate must be made to the Executive Director in the form and manner determined by the Executive Director and must be accompanied by the appropriate fee as prescribed in Part 187.
- (8) The provisions of regulations 108.05.10 apply with necessary changes required by the context to an application for renewal of a regulated supplier's certificate.

Inspection or investigation fees, expenses and fines

108.05.13 Whenever an alleged violation of these regulations necessitating further inspection or investigation is identified, the decision by the Executive Director following on such an inspection or investigation may, in addition to payment of the prescribed fees set out in Part 187 or administrative fine as set out in Part 185, as the case maybe, in appropriate cases require additionally the reimbursement of the expenses incurred by the Authority.

Duplicate certificate

108.05.14 (1) The holder of a certificate issued or validated by the Executive Director which has been lost destroyed or defaced to such an extent that the particulars thereon are illegible, must apply to the Executive Director for the issuing of a duplicate certificate.

(2) An application for the issuing of a duplicate certificate must be -

- (a) made in the form and manner determined by the Executive Director; and
- (b) accompanied by the appropriate fee as prescribed in Part 187.

(3) The Executive Director must -

- (a) issue a duplicate certificate, if the applicant complies with the requirements referred to in subregulation (2); and
- (b) endorse the duplicate certificate with the word "DUPLICATE" thereon.

(4) If, after the issuing of a duplicate certificate, the original certificate is found, the holder of the duplicate certificate must take all reasonable steps to obtain such original certificate and surrender it forthwith to the Executive Director.

Cancellation, suspension and imposition of conditions

108.05.15 (1) Without prejudice to the general powers of the Executive Director under the Act regarding aviation documents, the Executive Director may cancel, suspend or impose conditions on a regulated agent's certificate, a known consignor certificate or a regulated supplier's certificate where -

- (a) the Executive Director is no longer satisfied that the holder of the certificate complies with the requirements of this Part;

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- (b) the holder of the certificate prevents the Executive Director from carrying out a safety inspection or audit in accordance with these regulations; or
- (c) the holder of the certificate is under receivership, liquidation or insolvency proceedings.

(2) The holder of a certificate which has been cancelled, suspended or subjected to conditions may appeal against such decision to the High Court in terms of section 225 of the Act.

Register of certificates

108.05.16 (1) The Executive Director must maintain a register of all certificates issued in terms of this Part.

(2) The register of certificates must contain the following particulars:

- (a) the full name and, if any, the trade name of the holder of the certificate;
- (b) the postal and physical address of the holder of the certificate; and
- (c) the date on which the certificate was issued.

(3) The register kept under this regulation must comply with the CAR requirements as set out in section 52 of the Act.

(4) The Executive Director must, on payment of the appropriate fee prescribed in Part 187, furnish an extract from the register to any person who can show good and sufficient reason why he or she should be furnished with such extract.

**SUBPART 6
MAIL****General provisions**

108.06.1 (1) Any postal and courier entity, may apply for a certification as a regulated agent in terms of this Part and any disclosed elements of the NCASP.

(2) Mail received by the registered postal and courier entity that are to be tendered for carriage by air, must be –

- (a) subjected to screening and sealed; and
- (b) accompanied by a valid postal manifest listing the numbers of secured bags.

(3) The registered postal or courier entity is responsible for the screening and sealing of mail before submitting the mail for carriage by air.

(4) For the purpose of excluding the introduction of explosives, incendiary devices or other prohibited or harmful articles and dangerous goods on board an air carrier's or aircraft operator's aircraft, the postal or courier entity must, subject to the powers on searches contemplated by sections 149, 152 and 156 of the Act, apply the following measures:

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- (a) the postal or courier entity must ensure that mail is kept in locked or closed containers and protected against unlawful interference prior to being placed in mail bags; and
 - (b) prior to loading on-board a commercial air transport aircraft, the air carrier or aircraft operator or his or her or its ground handling agent must ensure that all mail bags are visually inspected to ensure that they have not been tampered with.
- (5) At times of high security alert or an emergency situation, the following additional measures must be implemented:
- (a) the postal or courier entity must declare that mail has been inspected and searched for explosives, incendiary and other prohibited or harmful articles or dangerous goods, which may be used to commit acts of unlawful interference;
 - (b) should the security of mail be in doubt, the postal or courier entity is under an obligation not to tender or accept mail for carriage by air; and
 - (c) in the event of paragraph (a) or (b) being invoked, a declaration to that effect must be submitted to the Executive Director in the manner as required by the Executive Director.

Express cargo and mail

108.06.2 Any regulated agent or postal or courier entity, tendering express cargo and mail for carriage on commercial air transport operators must ensure that such express cargo and mail has been screened in terms of this Part.

Transshipment cargo and mail

108.06.3 (1) Transshipment cargo and mail arriving by air, for onward carriage by air, need not be screened or searched provided that it can be proved that it was subjected to the security controls required in terms of this Part at the point of departure and is protected against unlawful interference en route and at the transit point.

(2) Transshipment cargo or mail arriving by air, road, rail or sea for onward carriage by air that has not been subjected to security controls in the manner required by subregulation (1), must be treated as “unknown cargo” and be screened or searched in the manner prescribed for unknown cargo or mail in this Part.

SUBPART 7**STAFF RECRUITMENT AND TRAINING, HANDLING OF AVIATION CARGO, MAIL AND IN-FLIGHT SUPPLIES****General provisions**

108.07.1 (1) The Executive Director must oversee compliance with responsibilities, requisite standards and related measures set out in this Part and in the NCASP, by the operator of a security designated aerodrome, air carrier or aircraft operator or entity deploying persons implementing or responsible for requisite elements.

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- (2) Persons must have successfully completed the training set out under regulations 108.07.3 and 108.07.4, and where prescribed, other training, before being authorised to implement security controls.
- (3) Unsupervised deployment of staff without requisite training constitutes a violation of these regulations.

Recruitment: background checks

108.07.02 (1) Persons being recruited to implement or to be responsible for the implementation of, screening, access control or other security controls in a security restricted area must have successfully completed a background check carried out by the entity deploying the persons.

- (2) Any security background check required in terms of this Part is subject to the determinations of the Executive Director as contemplated by sections 133 to 135 of the Act.
- (3) In accordance with the NCASP, a background check must at the minimum -
 - (a) establish the person's identity on the basis of documentary evidence;
 - (b) cover criminal records in all countries of residence during at least the preceding five years; and
 - (c) cover employment, education and any gaps during at least the preceding five years.
- (3) Background, including pre-employment checks, must be satisfactorily completed before the person undergoes any security training involving access to information which is not publicly available.
- (4) The recruitment process for all persons being recruited under subregulation (1) must include at a minimum, a written application and an interview stage designed to provide an initial assessment of the applicant's abilities and aptitudes.
- (5) Recruitment records, including results of any assessment tests, must be kept for all persons recruited under subregulation (1) for at least the duration of their contract of employment.

Air cargo security familiarisation training

108.07.3 (1) Any -

- (a) air carrier or aircraft operator involved in the transportation of cargo;
- (b) person who performs the act of accepting, handling, loading, unloading, transferring, guarding or other processing of cargo, on behalf of an air carrier or aircraft operator;
- (c) regulated agent approved by the Executive Director in terms of this Part;
- (d) known consignor accredited by the Executive Director in terms of this Part,

must ensure that the following categories of personnel in his, her or its employ or personnel provided by a service provider, successfully complete air cargo security familiarisation training and refresher training every 24 months thereafter:

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- (i) personnel involved in acceptance, handling, storage, loading and unloading of cargo and shipping documentation to be transported by air; and
 - (ii) drivers involved in transporting known cargo to be transported by air.
- (2) The subject matter of initial air cargo security familiarisation training and refresher air cargo security familiarisation training must be as specified in the syllabi contained in the security training programme as provided for in the NCASTP.
- (3) Any person referred to in subregulation (1) must complete refresher air cargo security familiarisation training every 24 months, calculated from the date of the successful completion of the air cargo security familiarisation training or the preceding air cargo security familiarisation training, as the case may be.
- (4) Records of such training must be maintained as stipulated in the NCASTP.

Standard air cargo security training**108.07.4 (1) Any -**

- (a) air carrier or aircraft operator involved in the transportation of cargo;
- (b) person who performs the act of accepting, handling, loading, unloading, transferring or other processing of cargo, on behalf of an air carrier or aircraft operator;
- (c) regulated agent approved by the Executive Director in terms of this Part;
- (d) known consignor accredited by the Executive Director in terms of this Part,

must ensure that the following categories of personnel in his, her or its employ or personnel provided by a service provider, have successfully completed standard air cargo security training and refresher training every 24 months thereafter:

- (i) screeners; and
 - (ii) officials designated by that air carrier or aircraft operator, person, regulated agent or known consignor.
- (2) Any level of standard cargo security training, referred to in subregulation must be conducted by an aviation security training organisation certified in terms of Part 109.
- (3) The subject matter of the level of aviation security training must be as provided for in the NCASTP.
- (4) Any person referred to in subregulation (1) must complete refresher standard cargo security training every 24 months.
- (5) Upon the successful completion of the initial aviation security training or the refresher aviation security training referred to in subregulation (2), the aviation security training organisation concerned must issue to the candidate a certificate of competence in standard cargo security training detailing the level of course completed.

Validation of foreign certificates issued for air cargo security training

108.07.5 (1) The Executive Director may upon application in writing by any person, validate any foreign certificate issued for air cargo security training, if the holder of the certificate submits documentary proof that -

- (a) such certificate has been obtained from an approved foreign training organisation; and
 - (b) the holder of the certificate has successfully completed the refresher security training referred to in the NCASTP.
- (2) The application referred to in subregulation (1) must be made in the form and manner determined by the Executive Director, and must be accompanied by the appropriate fee as prescribed in Part 187.
- (3) The provisions of regulations 108.07.3 and 108.07.4 apply with necessary changes required by the context to the holder of a certificate referred to in subregulation (1).

SUBPART 8**SECURITY SCREENING: EQUIPMENT AND EXPLOSIVES DETECTION DOG TEAMS****General provisions**

108.08.1 The operator or entity using equipment for the implementation of measures for which it is responsible in accordance with the national civil aviation security programme must take reasonable steps to ensure that the equipment meets the standards as provided for in the disclosed elements of the NCASP.

Requirements for security screening equipment

108.08.2 (1) Any equipment operated by an air carrier or aircraft operator or a regulated agent to screen cargo, must meet the minimum technical specifications set out in the NCASP.

- (2) The equipment referred to in subregulation (1), must be maintained in accordance with the technical specifications set out in the NCASP and must comply with any other requirement that is prescribed by law.
- (3) An air carrier or aircraft operator or a regulated agent must keep records of the regular routine testing of each piece of security equipment by the air carrier or aircraft operator or entity responsible for its use.
- (4) Any explosive detection dog team utilised by an air carrier or aircraft operator or a regulated agent to screen cargo must meet the minimum competency requirements set out in the NCASTP.
- (5) Any assessor wishing to conduct competency assessments of explosive detection dog teams must apply to the Executive Director for approval and be affiliated to an approved aviation security training organisation certified under Part 109 or a recognised State entity.
- (6) The certification referred to in subregulation (5) must be renewed every 12 months.
- (7) Any assessor wishing to conduct competency assessments of explosive detection dog teams must meet the minimum competency requirements set out in the NCASTP.

- (8) Any explosive detection dog team utilised by an air carrier or aircraft operator or a regulated agent to screen cargo must meet the minimum deployment standards set out in the NCASTP.

APPENDICES

APPENDIX 1

TRUCKING/TRANSPORTER SECURITY DECLARATION

(Regulation 108.03.8(1)(c))

In accordance with the Namibian Civil Aviation Regulations, regulation 108.03.8

I, ID No. do hereby declare that:

1) The following security procedures must be adhered to:

- (a) all staff who transport this air cargo/mail have received the security awareness training;
- (b) the integrity of all staff being recruited with access to this air cargo/mail has been verified. This verification must include at least a check of the identity (if possible by photographic identity card, driving licence or passport) and a check of the curriculum vitae and/or provided references;
- (c) load compartments in vehicles must be sealed or locked. The load areas of flat bed trucks must be kept under observation when air cargo is being transported;
- (d) immediately prior to loading, the load compartment must be searched and the integrity of this search maintained until loading is completed;
- (e) each driver must carry an identity card, passport, driving licence or other document, containing a photograph of the person, which has been issued or recognised by the national authorities;
- (f) drivers may not make unscheduled stops between collection and delivery. Where this is unavoidable, the driver must check the security of the load and the integrity of locks and/ or seals on his return. If the driver discovers any evidence of interference, he/she must notify his/her supervisor and the air cargo/mail must not be delivered without notification at delivery;
- (g) transport may not be sub-contracted to a third party, unless the third party also has a transporter agreement with [same name as above of regulated agent/known consignor, or Executive Director of Civil Aviation has approved or certified the transporter]; and
- (h) no other services (e.g. storage) shall be sub-contracted to any other party other than a regulated agent or an entity that has been certified or approved and listed for the provision of these services by the Executive Director.

2) The [name of company] will take all practicable steps to at all times control and keep secure and confidential all elements of the NCASP as may have been disclosed to authorised personnel for the purposes of compliance with the Act. It will immediately report to the Authority any loss of documentation disclosing elements of the NCASP.

I accept full responsibility for this declaration.

Name: Position in company:

Date: Signature:

APPENDIX 2

DECLARATION OF COMMITMENTS BY REGULATED SUPPLIER OF IN-FLIGHT SUPPLIES/AIRPORT SUPPLIES

(Regulations 108.05.10(3)(d) and 108.05.11(7))

In accordance with Namibian Civil Aviation Regulations, regulation 108.05.10 or 108.05.11.

I,, ID No. the countable manager of [company], declare that:

- 1) To the best of my knowledge, the information contained in the company's security programme is true and accurate;
2) The practices and procedures set out in this security programme will be implemented and maintained at all sites covered by the programme;
3) This security programme will be adjusted and adapted to comply with all future relevant changes to the NCASP, unless [name of company] informs the Executive Director of Civil Aviation that it no longer wishes to deliver in-flight supplies directly to aircraft and thus no longer wishes to trade as a regulated supplier,
4) [name of company] will inform the Authority in writing of:
a) minor changes to its security programme, such as company name, person responsible for security or contact details, promptly but at least within 10 working days;
b) major planned changes, such as new screening procedures, major building works which might affect its compliance with relevant Namibian Civil Aviation legislation or change of site/address, at least 15 working days prior to their commencement/the planned change; and
c) in order to ensure compliance with relevant Civil Aviation Act, 2016, [name of company] will cooperate fully with all inspections, as required, and provide access to all documents, as requested by inspectors.
5) [name of company] will take all practicable steps to at all times control and keep secure and confidential all elements of the NCASP as may have been disclosed to authorised personnel for the purposes of compliance with Civil Aviation Act, 2016. It will immediately report to the Authority any loss of documentation disclosing elements of the NCASP.
6) [name of company] will ensure that all relevant staff receive appropriate training and are aware of their security responsibilities under the company's security programme, and [name of company] will inform the Executive Directorate of Civil Aviation if:
a) it ceases trading;
b) it no longer delivers in-flight supplies directly to aircraft;
c) it can no longer meet the requirements of the relevant NCASP.

I must accept full responsibility for this declaration.

Name:

Position in company:

Date: Signature:

APPENDIX 3

DECLARATION OF COMMITMENTS: KNOWN SUPPLIER OF IN-FLIGHT SUPPLIES

(Regulation 108.04.4(2))

In accordance with Namibian Civil Aviation Regulations, regulation 108.04.4.

I, ID No. declare that:

- 1) [name of company] complies with the requirements of applicable Civil Aviation Act, 2016;
- 2) in order to ensure compliance with relevant requirements of the NCASP as disclosed to me by the Authority, [name of company] will cooperate fully with all inspections, as required, and provide access to all documents, as requested by inspectors;
- 3) [name of company] will take all practicable steps to at all times control and keep secure and confidential all elements of the NCASP as may have been disclosed to [name of company] or its authorised personnel for the purposes of compliance with the Civil Aviation Act, 2016. It will immediately report to the Authority any loss of documentation which discloses elements of the NCASP;
- 4) [name of company] will immediately inform [the air carrier or regulated supplier to whom it delivers in-flight supplies] of any serious security breaches and of any suspicious circumstances which may be relevant to in-flight supplies, in particular any attempt to conceal prohibited articles in supplies; and
- 5) [the company] will ensure that all relevant staff receive appropriate training and are aware of their security responsibilities, and [name of company] will inform [the air carrier or regulated supplier to whom it delivers in-flight supplies] if:
 - a) it ceases trading;
 - b) it can no longer meet the requirements of the relevant NCASP.

I must accept full responsibility for this declaration.

Name:

Position in company:

Date: Signature:

DECLARATION OF COMMITMENTS: KNOWN SUPPLIER OF AIRPORT SUPPLIES (Regulation 108.04.9(2))

In accordance with Namibian Civil Aviation Regulations, regulation 108.04.9

I, ID No. declare that:

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- 1) **[name of company]** complies with the requirements of the Civil Aviation Act, 2016;
- 2) in order to ensure compliance with relevant legislation, **[name of company]** will cooperate fully with all inspections, as required, and provide access to all documents, as requested by inspectors;
- 3) **[name of company]** will immediately inform the Executive Director and operator of security designated aerodrome of any serious security breaches and of any suspicious circumstances which may be relevant to airport supplies, in particular any attempt to conceal prohibited articles in supplies; and
- 4) **[the company]** will ensure that all relevant staff receive appropriate training and are aware of their security responsibilities, and **[name of company]** will inform [the operator of security designated aerodrome] if:
 - a) it ceases trading;
 - b) it can no longer meet the requirements of the NCASP.
- 5) **[name of company]** will take all practicable steps to at all times control and keep secure and confidential all elements of the NCASP as may have been disclosed to authorised personnel for the purposes of compliance with Namibian Civil Aviation legislation. It will immediately report to the Authority any loss of documentation which discloses elements of the NCASP.

I must accept full responsibility for this declaration.

Name: Position in company:

Date: Signature: