

PART 111
AVIATION SECURITY PROGRAMMES AND SECURITY MEASURES

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GENERAL PROVISIONS ON AVIATION SECURITY****General**

111.01.1 (1) This Part must be read in accordance with the provisions of the Act regarding the aviation security functions of the Authority, and in particular Part 12 of the Act regarding the execution of functions on civil aviation security.

(2) The Executive Director may issue orders, circulars or directives regarding any aviation security matter.

(3) The security measures provided for in the NCASP apply equally to both international and domestic operations at security designated aerodromes.

(4) Despite subregulation (3), any aircraft, passenger, baggage, cargo mail and express parcel arriving at a security designated aerodrome from a non-security designated aerodrome must be subjected to the same security controls applicable at the destination airport upon arrival, whether or not the said destination airport is engaged in international or domestic operations.

National Civil Aviation Security Programme

111.01.2 (1) Pursuant to section 118(1)(a) of the Act, the Authority must draw up the National Civil Aviation Security Programme (NCASP), providing for –

- (a) the specific civil aviation security responsibilities of the Authority in accordance with the Act, this Part and any other relevant law;
- (b) the functions to be exercised by the aerodrome management of a security designated aerodrome and security designated navigation installation in respect of the establishment and implementation of security measures to prevent the occurrence of acts of unlawful interference;
- (c) the functions to be exercised by the Air Navigation Services contemplated in section 49 of the Act, in respect of the establishment and implementation of security measures to prevent the occurrence of acts of unlawful interference;
- (d) the responsibility regarding the control of access of airport tenants at security designated aerodromes whose concession or facility forms part of the landside or airside boundary or through which access can be gained from landside to airside;
- (e) the specific responsibilities, in the context of aviation security, of the policing authority at security designated aerodromes;
- (f) the establishment of an airport security committee for the co-ordination of the development and implementation of security measures and procedures at security designated aerodromes;

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- (g) the co-operation and communication between States in the development and implementation of aviation security practices and procedures;
- (h) steps to ensure the co-ordination of aviation security measures among stakeholders responsible for implementation of the NCASP;
- (i) the protection of airports, aircraft and air navigation facilities with specific reference to the designation and protection of security restricted areas, access control and the listing of both on and off-airport navigational and aviation-related facilities which are vital to the continued safe operation of civil aviation;
- (j) the security control of persons boarding an aircraft and items being placed on board aircraft, including -
 - (i) screening and searching of the passengers and carry-on baggage;
 - (ii) the control of transit and transfer passengers;
 - (iii) the screening of aircraft crew, airport staff, permit holders, and other non-passengers;
 - (iv) the provision of special screening procedures;
 - (v) the procedure for authorised carriage of weapons;
 - (vi) procedures for the proper control and screening of checked baggage;
 - (vii) control of cargo, courier and express parcels and mail;
 - (viii) procedures to prevent the introduction of weapons, explosives and other dangerous devices into in-flight supplies intended for carriage on aircraft;
 - (ix) the procurement, calibration, operation, details, including minimum criteria, and maintenance of security equipment;
 - (x) the selection, security background check and recruitment criteria for persons charged with the execution of aviation security-related duties;
 - (xi) the background check of persons who, in the execution of their duties, are required to gain access to restricted areas;
 - (xii) the management of response to acts of unlawful interference;
 - (xiii) measures for the evaluation of the programme;
- (k) the NCASQCP, to determine compliance with and validate the effectiveness of the NCASP;
- (l) the NCASTP in order to determine that persons applying and monitoring the NCASP are in a position to comply with the laid-down requirements;

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- (m) the development of measures in order to protect critical information and communications technology systems;
- (n) the establishment of a centralised security reporting system for analysing security information which must focus on the following types of reports:
 - (i) mandatory incident reports: incident reports that are required to be made as a result of the NCASP with the exception of an accident or serious incident that is reported to the Directorate of Aircraft Accident and Incident Investigations;
 - (ii) voluntary reports: reporting of a hazard or incident without any legal or administrative requirement to do so at the reporter's own will and initiative;
 - (iii) confidential reports: voluntary incident or hazard reports where the reporter's identity is protected by providing a means by which individuals are able to raise issues of concern without being identified to their peer group, management or respective organisations;
- (n) development, review and approval of contingency plans; and
- (o) any other matter or international standards that are deemed necessary in the interests of civil aviation safety and security.

(2) The Authority may incorporate into the NCASP any international Standard and Recommended Practice contained in Annex 17 to the Chicago Convention and any other international aviation standard in the manner described in section 227 of the Act.

Security programme for security designated aerodrome

111.01.3 (1) A person may not operate a security designated aerodrome unless that person has in place a security programme approved by the Executive Director.

- (2) Pursuant to section 126(1)(a) of the Act, every operator of a security designated aerodrome serving civil aviation in Namibia must establish and implement a written security programme (also referred to as "airport security programme") that meets the requirements of this Part and the NCASP, for the security designated aerodrome concerned.
- (3) The operator must review the security programme on an annual basis and submit the programme to the Executive Director for approval.
- (4) Where the Executive Director approves a security programme, the Executive
- (5) Director must issue the security designated aerodrome operator with a certificate of approval of the security programme on Form AVSEC 1 set out in the Appendix.
- (6) Every operator of a security designated aerodrome in Namibia must establish an airport security committee (ASC).
- (7) The functions of the ASC must be as provided for in the NCASP and the airport security programme.

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- (8) The airport security committee must refer any matter relating to aviation security and which is within its functions but which cannot be resolved at the airport level to the National Aviation Security Committee (NASC).
- (9) The manager of the security designated aerodrome or the person in charge must be the chairperson of the airport security committee.
- (10) The chairperson must appoint other members of the airport security committee.
- (11) The composition of the airport security committee must be as provided for in the NCASP.
- (12) The airport security committee may invite any person to attend and take part in the proceedings of the committee and that person may participate in any discussion at the meeting but does not have a right to vote at that meeting.
- (13) The chairperson must convene every meeting of the airport security committee, and the committee must meet once every month to ensure that the security programme is up to date and effective and that its provisions are being properly applied.

Air carrier security programme

111.01.4 (1) A person may not operate an aircraft serving civil aviation for commercial purposes from or within Namibia unless that person has in place an air carrier security programme (also known as the aircraft operator security programme) approved by the Executive Director.

(2) Pursuant to section 126(1)(c) of the Act, an air carrier or aircraft operator engaged in commercial air transport must establish and implement an aircraft operator security programme that meets the requirements of this Part and the NCASP, for flights undertaken as a scheduled public air transport service or undertaken as a scheduled international public air transport service by that air carrier or aircraft operator.

(3) The an air carrier or aircraft operator must review the air carrier or aircraft operator security programme on an annual basis and submit the programme to the Executive Director for approval.

(4) Where the Executive Director approves an aircraft operator security programme, the Executive Director must issue the aircraft operator with a certificate of approval of the aircraft operator security programme on Form AVSEC 2 set out in the Appendix.

Air Navigation Services security programme

111.01.5 (1) The Air Navigation Services (ANS) must establish and implement a security programme that meets the requirements of this Part and the NCASP.

(2) The ANS must review the ANS security programme on an annual basis and submit the programme to the Executive Director for approval.

(3) Where the Executive Director approves an ANS security programme, the Executive Director must issue the air navigation service provider with a certificate of approval of the air navigation services security programme on Form AVSEC 4 set out in the Appendix.

General security programme pertaining to other aviation participants

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111.01.6 (1) Any other aviation participant as designated by the Minister by notice in the *Gazette* or designated in the NCASP or this Part must establish a security programme providing for –

- (a) the compliance with the requirements contained in the NCASP; and
 - (b) compliance with the provisions of the security designated aerodrome, air carrier or aircraft operator and the Air Navigation Services security programmes.
- (2) An aviation participant referred to in subregulation (1) must review the said security programme on an annual basis and submit it to the Executive Director for approval.
- (3) The following aviation participants are required to have a security programme -
- (a) private or contracted security companies providing aviation security services;
 - (b) catering companies;
 - (c) aircraft cleaning companies; and
 - (d) regulated agents and known consignors referred to in Part 108.

Application for approval of security programme

111.01.7 (1) Where a security programme is required to be approved by the Executive Director under this Part, the applicant must –

- (a) submit the programme to the Executive Director, ensuring that it meets the requirements of the NCASP, this Part and any other relevant law and security programmes; and
- (b) be accompanied by the appropriate fee or fees as prescribed in Part 187.

(2) A security programme submitted to the Executive Director under this Part must be in duplicate and signed by the applicant or on behalf of the applicant by a duly authorised person.

Approval of security programme

111.01.8 (1) Where the Executive Director is satisfied that the security programme submitted under regulation 111.01.7 meets the requirements of the Act, this Part, the NCASP and any other relevant law and other security programmes referred to in this Part, the Executive Director must within 30 days after receipt of the programme, approve the security programme.

(2) Where the Executive Director determines that a security programme submitted under regulations 111.01.7 or 111.01.10(5) does not meet the requirements of this Part, and the NCASP, the Executive Director must within 14 days after receipt of the programme, direct the applicant to modify and re-submit the security programme within 14 days after receipt of the programme by the applicant.

(3) Where the Executive Director is satisfied that a security programme re-

submitted meets the requirements of this Part, and the NCASP, the Executive Director must, within 14 days after receipt of the programme, approve the security programme, and the Executive Director must

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issue the applicant with a certificate of approval of the airport security programme on Form AVSEC 1 or air carrier or aircraft operator security programme on Form AVSEC 2 set out in the Appendix.

- (4) Upon a proposed security programme submitted under regulation 111.01.7 being approved by the Executive Director under this Part, the applicant must within 30 days of such approval ensure that such approved security programme is implemented and in full operation.
- (5) Any non-compliance with the requirement on a security programme in this Part by a participant is subject to the application of the enforcement procedures set out in Part 13 read with Part 185.

Power of Executive Director to require amendment of security programme or training programme

111.01.9 (1) Where the Executive Director is of the opinion that the operator of a security designated aerodrome's, air carrier's or aircraft operator's or any other aviation participant's security or training programme requires amendment, the Executive Director may direct the respective entity to amend the security programme and submit it to the Executive Director for approval.

(2) The Executive Director must, where an amended security or training programme is submitted to him or her under subregulation (1), approve the security or security training programme in accordance with the procedure prescribed by regulation 111.01.8.

National civil aviation security training programme

111.01.10 (1) The Authority must develop a National civil aviation security training programme (NCASP) for personnel of all entities involved in, or responsible for, the implementation of various aspects of the NCASP which must be submitted to the Executive Director for approval.

- (2) The entities referred to in subregulation (1) must comply with the training requirements stipulated in the NCASP.
- (3) The Executive Director must ensure the development of training and certification procedures for screeners, supervisors, instructors and inspectors is in accordance with this Part, the NCASP and the NCASCP.
- (4) Every operator of security designated aerodrome, air carrier or aircraft operator, air traffic service provider or organisation responsible for the implementation of various aspects of the NCASP must develop and implement an aviation security training programme and the training programme must conform to the requirements of the NCASP.
- (5) A training programme referred to in subregulation (4) must be submitted to the Executive Director for approval in accordance with the procedure prescribed in regulation 111.01.8.
- (6) The Executive Director must issue the applicant with a certificate of approval of a security training programme on Form AVSEC 3 set out in the Appendix.
- (7) The operator of a security designated aerodrome, air carrier or aircraft operator, air traffic service provider or organisation responsible for the implementation of various aspects of the NCASP must review the security training programme referred to in subregulation (4) on an annual basis and submit the programme to the Executive Director for approval.

Changed conditions affecting security

111.01.11 (1) Where a security or training programme has been approved, the operator of a security designated aerodrome, air carrier or aircraft operator or any person or his or her agent, where applicable, must comply with the procedure provided for under subregulation (2) whenever the person concerned determines that –

- (a) any description of the area set out in the security or training programme is no longer accurate; or
- (b) any description of the operations set out in the security or training programme is no longer accurate or that the procedures included and the facilities and equipment described in the security programme are no longer adequate.

(2) Whenever a situation described in subregulation (1) occurs, the person concerned, where applicable must -

- (a) immediately notify the Executive Director of the changed conditions and identify each interim measure being taken to maintain adequate security until approval is granted for an appropriate amendment of the security or training programme; and
- (b) within 30 days after notifying the Executive Director in accordance with paragraph (a), submit for approval in accordance with the procedure set out under regulation 111.01.7, an amendment to the security programme to bring it into compliance with this Part and the NCASP or the NCASTP.

(3) The Executive Director must, where an amendment to a security or training programme is submitted to it under subregulation (2)(b), approve the amendment in accordance with the procedure set out under regulation 111.01.8.

National Civil Aviation Security Quality Control Programme

111.01.12 (1) Pursuant to section 118(o) of the Act, the Authority must develop, implement and maintain a National Civil Aviation Security Quality Control Programme (NCASQCP), which meets the requirements provided for in the NCASP and submit it to the Executive Director for approval.

(2) The Authority must ensure that the implementation of security measures is regularly subjected to verification of compliance with the NCASP.

(3) The Authority must -

- (a) ensure that personnel carrying out security audits, test, surveys and inspections are trained to appropriate standards;
- (b) ensure that personnel carrying out security audits, test, surveys and inspections are afforded the necessary authority to obtain information to carry out these tasks and to enforce corrective actions;
- (c) supplement the NCASQCP by establishing a confidential reporting system for analysing security information provided by sources such as passengers, crew members and ground personnel; and

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- (d) establish a process to record and analyse the results of the NCASQCP, 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.
- (4) Every operator of a security designated aerodrome, air carrier or aircraft operator or organisation responsible for the implementation of various aspects of the NCASP must develop internal quality control measures that conform to the NCASP and the NCASQCP.
- (5) Every entity that is responsible for the implementation of various aspects of the NCASP, which requests internal quality control activities to be conducted by any person or entity other than the Authority, must notify the Executive Director within 21 days before such internal quality control activity is conducted.
- (6) The entity being monitored must specify the areas to be covered in the internal quality control process as provided for in the NCASP
- (7) The entity concerned must submit proof of certification or accreditation of the person or entity that conducts quality control to the Executive Director.
- (8) The person or entity that is conducting quality control must consult with the Executive Director before the quality control process begins.
- (9) A schedule must be provided to the Executive Director, to allow the Authority to participate in the quality control process, if the Authority considers it necessary.
- (10) The person or entity conducting quality control must consult with the Executive Director at the conclusion of the quality control process and provide the Authority with a copy of the preliminary report and final report.

Failure to implement security programmes

111.01.13 A person who fails to comply with a security programme referred to in section 126 of the Act and this Part commits an offence and is liable to a fine or to imprisonment specified in that section or to any administrative penalty prescribed in Part 185.

Security aspects of facilitation

111.01.14 (1) An air carrier or aircraft operator must take necessary precautions at the point of embarkation to ensure that passengers are in possession of valid documents issued by the relevant authorities in Namibia or in a State other than Namibia for control purposes.

(2) The Authority must establish a National Air Transport Facilitation Programme (NATFP) based on the facilitation requirements of the Act, these regulations, and Annex 9 to the Chicago Convention and the facilitation provisions of Annex 17 to the Chicago Convention.

- (3) The NATFP referred to in subregulation (9) must contain the following:
 - (a) the allocation of responsibilities;
 - (b) the facilitation of aircraft;

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- (c) the facilitation of passports and immigration;
 - (d) the facilitation relating to customs;
 - (e) the facilitation of international airports;
 - (f) the facilitation of aircraft;
 - (g) the facilitation of security; and
 - (h) the facilitation of public health and veterinary and agricultural quarantine.
- (4) The Executive Director must establish the National Aviation Facilitation Committee (NAFC) consisting of representatives from the following institutions:
- (a) the Authority;
 - (b) the Permanent Secretary of the Ministry or a person designated by him or her;
 - (c) the Namibia Revenue Agency established by the Namibia Revenue Agency Act, 2017 (Act No. 12 of 2017);
 - (d) the Ministry responsible for home affairs and immigration;
 - (e) the Ministry responsible for health;
 - (f) the Ministry responsible for agriculture, water and forestry;
 - (g) an association representing aircraft operators; and
 - (h) Namibia Airports Company established by the Airports Company Act, 1998 (Act No. 25 of 1998).
- (5) The NAFC is responsible for the following:
- (a) coordinating facilitation activities between departments, agencies and other organisations of Namibia concerned with, or responsible for various the aspects of international civil aviation; and
 - (b) implementation of the NATFP.
- (6) Every operator of a security designated aerodrome must establish an airport facilitation programme that meets the requirements provided for in the NATFP.
- (7) The airport facilitation programme referred in subregulation (6) must be implemented by an airport facilitation committee established in terms of the requirements provided for in the NATFP.

Aircraft passenger identification

111.01.5 (1) Any person, including a minor, who is either –

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- (a) departing as a passenger from a security designated aerodrome in Namibia on a scheduled public air transport flight to a destination either within Namibia or outside the territory of Namibia;
- (b) arriving as a passenger at a security designated aerodrome in Namibia on a scheduled public air transport flight to a destination within Namibia or to a destination outside the territory of Namibia,

must be required to produce a valid identification document in accordance with the Departure from Namibia Regulation Act, 1955 (Act No. 34 of 1955) and the Immigration Control Act, 1993 (Act No. 7 of 1993), satisfactory to the boarding officer of a relevant air carrier or aircraft operator, at the boarding gates, before boarding the aircraft concerned.

- (2) The details on the personal identification document, including the name, date of birth and gender of the person concerned, must correspond to the details in the air carrier's or aircraft operator's possession in respect of the intended passenger.
- (3) The name of the person appearing on the identification document or passport must correspond to the name of the person appearing on the issued boarding pass.
- (4) The air carrier must, through its boarding officers, confirm that any person checking in baggage at the baggage check-in-point in the airport is the same as the person who intends to be a passenger on the flight and who has been issued with a boarding pass or is to be issued with a boarding pass.
- (5) A person whose identity cannot be verified in terms of subregulation (2), (3) or (4) must be refused carriage, without recourse to the air carrier or aircraft operator concerned, unless some other form of personal identification that is acceptable to the air carrier or aircraft operator concerned is provided.
- (6) A person whose form of personal identification as referred to in subregulation (2) is not acceptable to the air carrier or aircraft operator concerned, may be required to undergo additional security screening.
- (7) A designated inspector, authorised officer or authorised person appointed in terms of section 37(1) of the Act, is authorised to request a person referred to in subregulation (2) for his or her personal identification documentation for verification purposes.

SUBPART 2
PREVENTATIVE SECURITY MEASURES

Airport security: access control

111.02.1 (1) Every operator of a security designated aerodrome or navigation installation, must control access to airside areas at an airport serving civil aviation in order to prevent unauthorised entry.

- (2) Every operator of a security designated aerodrome or navigation installation or a person employed or contracted by such to provide aviation security services must ensure that the access to airside areas at an airport serving civil aviation in Namibia is controlled in order to prevent unauthorised entry as provided for in the NCASP.
- (3) Every operator of a security designated aerodrome or navigation installation
or a person employed or contracted by such to provide aviation security services must establish identity verification systems in respect of persons and vehicles in order to prevent unauthorised access to airside areas and security areas or security restricted areas as provided for in the NCASP.
- (4) Every operator of a security designated aerodrome or navigation installation or a person employed or contracted by that operator to provide aviation security services must verify identity at designated checkpoints before access is allowed to airside areas and security areas or security restricted areas.
- (5) Every operator of a security designated aerodrome in Namibia must conduct security background checks, in accordance with Part 114, on persons, other than passengers, granted unescorted access to security restricted areas of the airport prior to granting access to security restricted areas.
- (6) Every operator of a security designated aerodrome or a security designated navigation installation must supervise the movement of persons and vehicles to and from the aircraft in security areas or security restricted areas in order to prevent unauthorised access to aircraft in accordance with the procedures, requirements provided for in the NCASP.
- (7) Every operator of a security designated aerodrome or a security designated navigation installation must apply screening or other appropriate security controls, in accordance with procedures provided for in the NCASP, to persons other than passengers, together with items carried, prior to entry into security restricted areas at security designated aerodromes serving international civil aviation operations.
- (8) Every operator of a security designated aerodrome must apply screening or other appropriate security controls to vehicles being granted access to security areas or security restricted areas, together with items contained within them, in accordance with a risk assessment carried out by the Authority.
- (9) The Authority must ensure that identity documents issued to aircraft crew members provide a harmonised and reliable international basis for recognition and validation of documentation to permit authorised access to airside and security restricted areas.
- (10) Every operator of a security designated aerodrome must re-apply checks specified in subregulation (5) on a regular basis to all persons granted unescorted access into security restricted areas.
- (11) Every operator of a non-security designated aerodrome or navigation installation, must comply with specific security measures applicable to non-security designated aerodromes or navigation installation provided for in the NCASP.

Security restricted areas

111.02.2 (1) Pursuant to section 131(1) of the Act, the Executive Director must declare security restricted areas at each security designated aerodrome, in accordance with the procedure, requirements provided for in the NCASP.

(2) Security restricted areas must be protected through the measures provided for in the NCASP.

Carriage and use of weapons, firearms, ammunition and other explosives onto aircraft or into security restricted areas

111.02.3 Pursuant to sections 157 and 204 of the Act, the carriage and use of weapons, firearms, ammunition and other explosives into aircraft or into security restricted areas must be in accordance with the requirements and conditions prescribed in the Act and the NCASP.

Passengers and their cabin baggage

111.02.4 (1) Every operator of a security designated aerodrome or a person employed or contracted by that operator to provide aviation security services must establish measures, in accordance with the Act and the NCASP, to ensure that originating passengers and their cabin baggage are screened prior to boarding an aircraft departing from a security restricted area.

(2) Every operator of a security designated aerodrome must screen transfer passengers of commercial air transport operations and their cabin baggage prior to boarding an aircraft in accordance with measures provided for in the NCASP.

(3) Every operator of security designated aerodrome must protect passengers and their cabin baggage which have been screened from unauthorised interference from the point of screening until they board the aircraft.

(4) Where mixing of screened and unscreened passengers takes place, the passengers concerned and their cabin baggage must be re-screened before boarding an aircraft.

(5) An operator of a security designated aerodrome must establish measures for transit operations to protect transit passengers' cabin baggage from unauthorised interference and protect the integrity of the security of the airport of transit.

(6) An operator of a non-security designated aerodromes must comply with the measures provided for in the NCASP in respect of the application of security controls for passengers and their cabin baggage originating from non-security designated aerodromes.

Hold baggage

111.02.5 (1) Every operator of a security designated aerodrome or a person employed or contracted by that operator to provide aviation security services must establish measures to ensure that originating hold baggage is screened prior to being loaded onto an aircraft engaged in commercial air transport operations departing from a security restricted area, in accordance with procedure provided for in the NCASP.

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- (2) Every operator of a security designated aerodrome or a person employed or contracted by that operator to provide aviation security services must protect, in accordance with procedure provided for in the NCASP, all hold baggage to be carried on a commercial aircraft from unauthorised interference from the point it is screened or accepted into the care of the air carrier or aircraft operator.
- (3) If the integrity of hold baggage is jeopardised, the hold baggage must be rescreened before being placed on board an aircraft.
- (4) Every operator of a security designated aerodrome or a person employed or contracted by that operator to provide aviation security services must ensure that commercial air transport operators do not transport the baggage of persons who are not on board the aircraft unless that baggage is identified as unaccompanied and subjected to appropriate screening.
- (5) Every operator of a security designated aerodrome or contracted aviation security service provider must apply screening or other security controls as provided for in the NCASP, to transfer hold baggage prior to being loaded into an aircraft engaged in commercial air transport operations, unless it has established a validation process and continuously implements procedures, in collaboration with the other airport operator from another contracting State to the Chicago Convention where appropriate, to ensure that such hold baggage has been screened at the point of origin and subsequently protected from unauthorised interference from the originating airport to the departing aircraft at the transfer airport.
- (6) Every operator of a security designated aerodrome or a person employed or contracted by that operator to provide aviation security services must ensure that commercial air transport operators transport only items of hold baggage which have been individually identified as accompanied or unaccompanied, screened to the appropriate standard and accepted for carriage on that flight by the air carrier or aircraft operator.
- (7) Baggage referred to in subregulation (6) must be recorded as meeting these criteria and authorised for carriage on the flight concerned.
- (8) Every operator of a security designated aerodrome must establish procedures to deal with unidentified baggage in accordance with a security risk assessment carried out in accordance with the NCASP.
- (9) Every operator of a security designated aerodrome serving civil aviation in Namibia must establish storage areas where mishandled baggage may be held after screening until forwarded, claimed or disposed of.
- (10) Every operator of a security designated aerodrome must establish bomb disposal areas where detected explosives may be disposed of.
- (11) Every operator of a security designated aerodrome must identify or establish an isolated parking area for aircraft that has been subjected to an act of unlawful interference or a bomb threat.
- (12) Specific security measures applicable to hold baggage originating from nonsecurity designated aerodromes must be provided for in the NCASP.

Landside

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111.02.6 (1) Every operator of a security designated aerodrome must establish security measures in landside areas to mitigate the risk and to prevent possible acts of unlawful interference in accordance with national and local risk assessments carried out.

(2) The operator of a security designated aerodrome must coordinate landside security measures between the relevant departments, agencies and other entities, and identify appropriate responsibilities in the NCASP.

Security responsibilities of air carrier or aircraft operator

111.02.7 (1) Every air carrier or aircraft operator must take security measures, as provided for in the NCASP.

(2) Every air carrier or aircraft operator must ensure that during flight unauthorised persons are prevented from entering the flight crew compartment.

(3) Every air carrier or aircraft operator must establish security controls, in accordance with the NCASP and the applicable air carrier or aircraft operator security programme, to prevent acts of unlawful interference on aircraft when they are not in security restricted areas.

(4) An air carrier or aircraft operator must ensure that aircraft security checks of originating aircraft engaged in commercial air transport movements are performed or an aircraft security search is carried out.

(5) The determination of whether it is an aircraft security check or a search that is appropriate must be based upon a security risk assessment carried out by the Authority.

(6) An air carrier or aircraft operator must ensure that measures are taken 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.

(7) An air carrier or aircraft operator must ensure that an aircraft is protected from unauthorised interference from the time the aircraft search or check has commenced until the aircraft departs.

(8) An air carrier or aircraft operator, in consultation with operators of security designated aerodromes, must ensure that appropriate measures on the ground or operational procedures are established to mitigate possible attacks against aircraft using Man-Portable Air Defence Systems (MANPADS) and other weapons representing a similar threat to aircraft at or near an airport, in accordance with the risk assessment carried out by competent authorities.

Special categories of passengers

111.02.8 Every air carrier or aircraft operator must ensure that the carriage of potentially disruptive passengers is in accordance with the requirements provided for in the NCASP.

Cargo, mail and other goods

111.02.9 The provisions of Part 108 apply, with changes required by the context, in relation to the security controls applied to cargo and mail, prior to their being loaded into an aircraft engaged in commercial air transport operations.

Cyber security in civil aviation

111.02.10 (1) The Authority must, in accordance with the risk assessment carried out by the Namibian intelligence services, and levels of threat identified by the Namibian police, develop measures, in accordance with the NCASP, in order to protect critical information and communications technology systems used for civil aviation purposes from interference that may jeopardise the safety and security of civil aviation.

(2) Every entity involved in, or responsible for, the implementation of the various aspects of the NCASP must identify its critical information and communications technology systems, including threats and vulnerabilities thereto, and develop protective measures as provided for in the NCASP.

SUBPART 3**MANAGEMENT AND RESPONSE TO ACTS OF UNLAWFUL INTERFERENCE****Prevention of acts of unlawful interference**

111.03.1 (1) The Authority must take adequate measures, in accordance with the NCASP, when reliable information exists that an aircraft may be subjected to an act of unlawful interference –

- (a) to safeguard the aircraft if it is still on the ground; or
 - (b) if the aircraft is in flight, to provide as much prior notification as possible of the arrival of such aircraft to relevant airport authorities and air traffic services of the States concerned, if the aircraft has already departed.
- (2) The Namibian police in consultation with the operator of a security designated aerodrome must investigate, render safe and dispose of, if necessary, suspected dangerous devices or other potential hazards at an airport in accordance with the procedure provided for in the NCASP or the relevant security programme.
 - (3) The operator of a security designated aerodrome must develop contingency plans and make resources available to safeguard civil aviation against acts of unlawful interference.
 - (4) The operator of a security designated aerodrome, in consultation with the Namibian police, must ensure that authorised and suitably trained personnel are readily available for deployment at its airports serving civil aviation to assist in dealing with suspected or actual cases of unlawful interference with civil aviation.
 - (5) The Namibian police must search an aircraft for concealed weapons, explosives or other dangerous devices, articles or substances when reliable information exists that an aircraft may be subjected to an act of unlawful interference, but prior notification of the search must be provided to the operator concerned.

Response to acts of unlawful interference**111.03.2** The Authority must –

- (a) take appropriate measures, in accordance with the NCASP, for the safety of passengers and crew members of an aircraft, which is subjected to an act of unlawful interference, while on the ground in Namibia, until their journey can be continued;
- (b) collect all pertinent information on the flight of that aircraft through the air navigation services provider and transmit that information to all other States responsible for the air traffic services units concerned, including those at the airport of known or presumed destination, so that timely and appropriate safeguarding action may be taken en route and at the aircraft's known, likely or possible destination;
- (c) provide assistance to an aircraft subjected to an act of unlawful seizure, including the provision of navigation aids, air traffic services and permission to land as may be necessitated by the circumstances;
- (d) ensure that an aircraft subjected to an act of unlawful seizure which has landed in the territory of Namibia is detained on the ground, unless its departure is necessitated by the overriding duty to protect human life, in consultation with the Namibian police;
- (e) notify by the most expeditious means the State of registry of the aircraft, and the State of the air carrier or aircraft operator, of the landing and must similarly transmit by the most expeditious means all other relevant information to -
 - (i) the two States concerned;
 - (ii) each State whose citizens suffered fatalities or injuries;
 - (iii) each State whose citizens were detained as hostages;
 - (iv) each State whose citizens are known to be on board the aircraft; and
 - (v) the International Civil Aviation Organisation.

Exchange of information and reporting

111.03.3 (1) The exchange of information and reporting must be done in accordance with the procedure provided for in the NCASP.

- (2) Every aircraft carrier or aircraft operator must, where an act of unlawful interference occurs, immediately notify the Authority.
- (3) Every pilot-in-command and air navigation service provider must submit to the Authority –
 - (a) a preliminary written report, within 15 days after the occurrence of an act of unlawful interference, including sabotage, threats, hijacks, incidents and disruptive passengers; and

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- (b) a final written report, upon completion of investigations, but within 30 days after the occurrence of an act of unlawful interference, including sabotage, threats, hijacks, incidents and disruptive passengers.
- (4) The Authority must, where an act of unlawful interference has occurred, provide the International Civil Aviation Organisation with a report on each incident, whether successful or unsuccessful as follows:
- (a) a preliminary report, within 30 days after the occurrence of the act, containing all pertinent information concerning the security aspects of the occurrence; and
 - (b) a final report, within 60 days after resolution of the incident.
- (5) The Authority must provide copies of reports submitted to the International Civil Aviation Organisation under this regulation and to -
- (a) the State of registry of the aircraft and the State of the operator;
 - (b) each State whose citizens suffered fatalities or injuries;
 - (c) each State whose citizens are, or were, detained as hostages; and
 - (d) each State whose citizens are, or were, known to be on board the aircraft.

**SUBPART 4
AVIATION SECURITY ENFORCEMENT MEASURES**

Enforcement powers of aviation security inspectors

111.04.1 Without limiting the powers of designated inspectors, authorised officers and authorised persons and under the Act or any Part of these regulations, an aviation security inspector may –

- (a) carry out quality control activities, such as periodic and random inspections, audits and testing of the effectiveness of security measures and procedures;
- (b) inspect any part of any airport in Namibia or any land or area outside the airport used by businesses that operate at the airport or that is in a security restricted area;
- (c) inspect any aircraft registered or operating in Namibia for the purpose of evaluating any security procedure;
- (d) inspect and test the effectiveness of security measures and procedures and performance of security equipment;
- (e) take into an airport, airside area or any designated security restricted area, and use any equipment necessary to carry out his or her duties, including radios, cameras, recording devices (both audio and video) and specially authorised restricted or prohibited articles, such as replica weapons or simulated explosive devices;

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- (f) issue notices of deficiencies or recommendations, as appropriate;
- (g) enforce corrective actions, including immediate rectification of any deficiencies or apply enforcement measures; and
- (h) enforce all relevant national aviation security requirements.

APPENDIX



NAMIBIA CIVIL AVIATION AUTHORITY

<p>FORM AVSEC 1</p> <p>CERTIFICATE OF APPROVAL OF AIRPORT SECURITY PROGRAMME (Regulations 111.01.3(4) and 111.01.8(3))</p>	
1. Certificate Number:	
2. Expiry date:	
3. Name of aerodrome operator:	
4. Physical address of aerodrome operator: 5. Postal address:	
6. Conditions and restrictions:	
<p>I, hereby certify that the holder of this certificate has been duly approved in accordance with Part 111 of the Namibia Civil Aviation Regulations.</p> <p>Name:</p> <p>Designation: Date:</p> <p>Executive Director/On behalf of Executive Director</p>	



NAMIBIA CIVIL AVIATION AUTHORITY

FORM AVSEC 2	
CERTIFICATE OF APPROVAL OF AIRCRAFT OPERATOR SECURITY PROGRAMME (Regulations 111.01.4(4) and 111.01.8(3))	
1. Certificate Number:	
2. Expiry date:	
3. Name of air carrier operator:	
Physical address:	
Postal address:	
7. Conditions and restrictions:	
I, hereby certify that the holder of this certificate has been duly approved in accordance with Part 111 of the Namibia Civil Aviation Regulations.	
Name:	
Designation:	
Date:	
Executive Director/On behalf of Executive Director	



NAMIBIA CIVIL AVIATION AUTHORITY

<p>FORM AVSEC 3</p> <p>CERTIFICATE OF APPROVAL OF SECURITY TRAINING PROGRAMME (Regulation 111.01.10(6))</p>	
1. Certificate Number:	
2. Expiry date:	
3. Name of operator:	
Physical address of operator:	
Postal address:	
6. Conditions and restrictions	
<p>I, hereby certify that the holder of this certificate has been duly approved in accordance with Part 111 of the Namibia Civil Aviation Regulations.</p> <p>Name:</p> <p>Designation:</p> <p>Date:</p> <p>Executive Director/On behalf of Executive Director</p>	



<p>FORM AVSEC 4</p> <p>CERTIFICATE OF APPROVAL OF AIR NAVIGATION SERVICES SECURITY PROGRAMME (Regulation 111.01.5(3))</p>	
<p>1. Certificate Number:</p>	
<p>2. Expiry date:</p>	
<p>3. Name of air navigation operator:</p>	
<p>Physical address operator:</p> <p>Postal address:</p>	
<p>7. Conditions and restrictions</p> <p>I, hereby certify that the holder of this certificate has been duly approved in accordance with Part 111 of the Namibia Civil Aviation Regulations.</p> <p>Name:</p> <p>Designation:</p> <p>Date:</p> <p>Executive Director/On behalf of Executive Director</p>	