

Schedule 29

Aviation Security

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SUBPART A: GENERAL

29.001 APPLICABILITY

- (a) The Provisions of this part shall apply to—
- (1) operators of international airports in The Bahamas;
 - (2) designated domestic airport operators and any other aerodrome operator specified by the Appropriate Authority;
 - (3) national aircraft operators;
 - (4) foreign aircraft operators;
 - (5) aerodrome tenants and/or operators of Tenant Restricted Areas at International airports or Designated Domestic airports;
 - (6) any person in or within the vicinity of an international airport or designated domestic airport, or any other aerodrome specified by the Authority or any air navigation site or any land building installation or areas under the ownership management or control of the Authority;
 - (7) any person who offers goods for transport by air;
 - (8) air traffic service provider;
 - (9) any person who provides a service to an air navigation service provider, aircraft operator and airport operator; and
 - (10) any person on board an aircraft.
- (b) Those requirements addressing persons certificated under any Schedule of these Regulations apply also to any person who engages in an operation governed by any Schedule without the appropriate certificate, licence, operations specification, or similar document required as part of the certification.

29.005 DEFINITIONS

- (a) For the purpose of this Schedule, the following definitions shall apply—

Act of unlawful interference means any act or attempted act such as to jeopardize the safety of civil aviation and air transport including—

- (i) unlawful seizure of an aircraft;
- (ii) destruction of an aircraft in service;
- (iii) hostage taking on board aircraft or on aerodromes;
- (iv) forcible intrusion on board an aircraft, at an airport or on the premises of an aeronautical facility;
- (v) introduction on board an aircraft or at an airport of a weapon or hazardous device or material intended for criminal purposes;
- (vi) use of an aircraft in service for the purpose of causing death, serious bodily injury, or serious damage to property or the environment; or
- (vii) communication of false information such as to jeopardize the safety of an aircraft in flight or on the ground, of passengers, crew, ground personnel or the general public, at an airport or on the premises of a civil aviation facility.

Aerial work means an aircraft operation in which an aircraft is used for specialized services such as agriculture, construction, photography, surveying, observation and patrol, search and rescue, aerial advertisement, etc.

Aerodrome means a defined area on land or water including any buildings installations and equipment intended to be used either wholly or in part for the arrival and departure and surface movement of aircraft. For the purposes of this Schedule, the following additional interpretations apply—

- (i) **International airport** means any aerodrome with scheduled international services offered by national and foreign aircraft operators;

- (ii) **Designated domestic airport** means any aerodrome with no international services, and scheduled domestic services offered by national carriers, where by virtue of a security risk assessment carried out by the Authority, the aviation security requirements of this Schedule shall apply; and
- (iii) **Domestic airport** means any aerodrome, other than those mentioned in (i) and (ii), with domestic scheduled, non-scheduled and general aviation traffic.

Aerodrome operator means the holder of an aerodrome operator certificate issued by the Authority.

Aerodrome or airport tenant means any enterprise that is resident at an aerodrome and offers services and products at that aerodrome.

Aircraft operator means a national aircraft operator and a foreign aircraft operator.

Aircraft security check means an inspection of the interior of an aircraft to which passengers may have had access and an inspection of the hold for the purposes of discovering suspicious objects, weapons, explosives or other dangerous devices, articles and substances.

Aircraft security search means a thorough inspection of the interior and exterior of the aircraft for the purposes of discovering suspicious objects, weapons, explosives or other dangerous devices, articles and substances.

Airside means the movement area of an airport, adjacent terrain and buildings or portions thereof, access to which is controlled.

Audit means any procedure or process used for compliance monitoring undertaken at national level. It covers security audits, inspections, surveys, tests and investigations.

Auditor means any person conducting audits at national level.

Aviation Security Officer means a person who is trained in accordance with the security training requirements of the National Civil Aviation Security Training Program and who has been appointed as an aviation security officer by an aerodrome operator, aircraft operator or aerodrome tenant.

Aviation Security Screening Officer means a person who by virtue of his training has been employed by the aerodrome operator, aircraft operator, or aerodrome tenant to carry out aviation security screening duties, and who has been certified as such by the Authority.

Background check means a check of a person's identity and previous experience, including where legally permissible, any criminal history, as part of an assessment of an individual's suitability to implement a security control and/or for unescorted access to a security restricted area.

Cargo means any property carried on an aircraft other than mail, stores and accompanied or mishandled baggage.

Carry-on baggage means luggage and personal belongings to which a person will have access while on board an aircraft.

Catering stores means all items, other than catering supplies, associated with passenger in-flight services, including newspapers, magazines, headphones, audio and video tapes, pillows and blankets, amenity kits, etc.

Catering supplies means food, beverages, other dry stores and associated equipment used on board an aircraft.

Certification means a formal evaluation and confirmation by or on behalf of the appropriate authority for aviation security that a person possesses the necessary competencies to perform assigned functions to an acceptable level as defined by the appropriate authority.

Checked baggage means luggage and personal belongings accepted for transportation by an aircraft operator which is loaded into the hold of the aircraft, and to which a person will not have access while on board an aircraft.

Commercial air transport operation means an aircraft operation involving the transport of passengers, cargo or mail for remuneration or hire.

Corporate aviation means the non-commercial operation or use of an aircraft by a company for the carriage of passengers and or goods as an aid to the conduct of company business, flown by a professional pilot employed to fly the aircraft.

Dangerous goods means articles or substances which are capable of posing significant risk to health, safety or property when transported by air and which are classified according to the International Civil Aviation Organisation Technical Instructions for the Safe Transport of Goods by Air.

Deficiency means failure to comply with aviation security requirements.

Disruptive passenger means a passenger who fails to respect the rules of conduct at an airport or on board an aircraft or to follow the instructions of the airport staff or crew members and thereby disturbs the good order and discipline at an airport or on board the aircraft.

Enhanced security restricted area means those areas of the airside of an airport which are identified as priority risk areas where in addition to access control, the screening of persons and any items they may have in their possession are conducted.

Escort means to accompany or supervise an individual who does not have unescorted access to areas restricted for security purposes, as identified in the Airport or Aerodrome Operator Security Program.

Foreign air operator means an aircraft operator who conducts international air transport operations under the terms of an air operator certificate issued by a State other than The Bahamas.

Flight catering operator means any enterprise that provides catering supplies for consumption on board an aircraft in flight engaged in the carriage of passengers.

General aviation operation means an aircraft operation other than a commercial air transport operation or an aerial work operation.

Goods means personal belongings, baggage, cargo, mail, article, thing or conveyance that may be taken or placed on board an aircraft or taken into a restricted area.

High-risk cargo or mail means cargo or mail presented by an unknown entity or showing signs of tampering shall be considered high risk if, in addition, it meets one of the following criteria:

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

Regardless of whether the cargo or mail comes from a known or unknown entity, a State's specific intelligence about a consignment may render it as high risk.

Human Factors principles means principles which apply to design, certification, training, operations and maintenance and which seek safe interface between the human and other system components by proper consideration to human performance.

Human performance means human capabilities and limitations which have an impact on the safety, security and efficiency of aeronautical operations.

Incendiary Device means an object, other than a match or pocket lighter, that is fabricated with combustible materials and when ignited may cause fire damage to property or inflict burn injuries on individuals.

In-flight Security Officer means a person who is employed and trained by the Government of The Bahamas, or by the Government of another State, to travel on an aircraft with the purpose of protecting that aircraft and its occupants against acts of unlawful interference. This excludes persons employed to provide exclusive personal protection for one or more specific people travelling on the aircraft, such as personal bodyguards.

Inspection means an examination of the implementation of relevant National Civil Aviation Security Program requirements by an airline, airport or other entity involved in security.

Investigation means an examination of a security incident and an explanation of its cause in order to avoid recurrence and to consider legal action.

Known consignor means a consignor who originates cargo or mail for its own account and whose procedures meet common security rules and standards sufficient to allow the carriage of cargo or mail on any aircraft.

National aircraft operator means an aircraft operator operating under the authority of an air operator certificate issued by the Authority.

Person in custody means a person who is for the time being under the control of a law enforcement officer.

Personal search means a search of the clothing of a person and personal belongings for prohibited items by a designated aviation security officer, an aviation security screening officer or a member of The Royal Bahamas Police Force.

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

Quality control program means the National Civil Aviation Security Quality Control Program.

Record means any writing, drawing, map, tape, film, photograph, or other means by which information is preserved.

Regulated agent means an agent, freight forwarder or any other entity who conducts business with an aircraft operator and provides security controls that are accepted or required by the Authority in respect of cargo, courier and express parcels or mail.

Restricted area means any area of an air navigation facility or an aerodrome that is identified as an area to which access is restricted.

Restricted area permit means a document issued by the designated airport permit issuing authority, that entitles the holder to have access to a specific restricted area of an aerodrome during a specified period.

Screening means the application of technical or other means which are intended to identify or detect weapons, explosives or other dangerous devices, articles or substances which may be used to commit an act of unlawful interference.

Screening staff means comprised of aviation security screening officers.

Security means safeguarding civil aviation against acts of unlawful interference. This objective is achieved by a combination of measures and human and material resources.

Security audit means an in- depth compliance examination of all aspects of the implementation of the National Civil Aviation Security Program.

Security auditor means any person conducting security audits at national level.

Security control means a means by which the introduction of weapons, explosives or other dangerous devices, articles or substances which may be used to commit an act of unlawful interference can be prevented.

Security directive means a formal written notification from the Authority requiring the recipient to take such security measures as are specified within the directive.

Security incident means an occurrence with negative implications for the security and safety of persons and property.

Security inspection means an examination of the implementation of relevant national civil aviation security program requirements by an airline, airport, or other entity involved in security.

Security program means an Aerodrome Operator Security Program, National Aircraft Operator Security Program, Foreign Aircraft Operator Security Program, Flight Catering Operator Security Program, Tenant Restricted Area Security Program, Regulated Agent Security Program, Aviation Service Provider Security Program, and an Air Traffic Service Provider Security Provisions, where applicable.

Sterile area—

- (i) an area within a restricted area to which access is controlled by the inspection of persons and property in accordance with this Schedule; and
- (ii) a facility within a restricted area of an aerodrome accessible to screened persons and set apart to facilitate security control of persons embarking and disembarking aircraft.

Survey means an evaluation of security needs including the identification of vulnerabilities which could be exploited to carry out an act of unlawful interference, and the recommendation of corrective action.

Tenant restricted area means any area at, or connected to, an aerodrome that has been declared as such in accordance with the Airport (Restricted Area) Directives.

Test means a covert or overt trial of an aviation security measure, which simulates an attempt to commit an unlawful act.

Transfer cargo and mail means cargo and mail departing on an aircraft other than that on which it arrived.

Transit passenger means a passenger departing from an aerodrome on the same flight on which he arrived.

Transfer passenger means a passenger making direct connection between two different flights.

Unidentified baggage means baggage at an airport, with or without a baggage tag, which is not picked up by or identified with a passenger.

Unpredictability means the implementation of security measures in order to increase their deterrent effect and their efficiency, by applying them at irregular frequencies, different locations and/or with varying means, in accordance with a defined framework.

Weapon means anything designed, used or capable of being used to inflict harm and includes a firearm.

29.010 ABBREVIATIONS & ACRONYMS

- (a) No abbreviations or acronyms are used in this Schedule.

29.015 NATIONAL CIVIL AVIATION SECURITY PROGRAM

- (a) The provisions of the National Civil Aviation Security Program as established by the Authority shall be adhered to by all aviation stakeholders where applicable.
- (b) The Authority, as the appropriate authority, shall monitor and enforce the implementation of the National Civil Aviation Security Program as applicable to safeguard civil aviation operations against acts of unlawful interference, which takes into account the safety, regularity and efficiency of flights.
- (c) The Authority, as the appropriate authority, shall establish a national aviation security committee or similar arrangements for the purpose of coordinating security activities between the departments, agencies, and other organisations of the State, airport and aircraft operators, air traffic service providers and other entities concerned with or responsible for the implementation of various aspects of the national civil aviation security program.
- (d) Any person, assigned responsibility for a specific function or task within the National Civil Aviation Security Program, who fails to carry out that function or task, to the standard specified therein commits an offence under this Schedule, and may be liable as specified in Subpart M to a penalty or upon conviction shall be liable to a term of imprisonment or a fine or to both a fine or imprisonment as provided by Schedule 2.
- (e) The Authority, as the appropriate authority, shall ensure that personnel of all entities involved with or responsible for the implementation of the national civil aviation security program and those authorised to have unescorted access to airside areas receive periodic security awareness training.
- (f) The Authority, as the appropriate authority, shall ensure that each entity responsible for the relevant elements of the national civil aviation security program periodically verifies that the implementation of security measures out-sourced to external service providers is in compliance with the entity's security program.
- (g) The Authority may consider entering into collaborative arrangements with the relevant international authorities in order to increase the sustainability of the aviation security system by avoiding unnecessary

duplication of security controls. The arrangement shall be based on verification of equivalence of the security outcome ensured by the application of effective security controls at origin.

29.020 OFFENCES & PENALTIES

- (a) Any person who contravenes any requirements of this Schedule commits an offence and may be liable to the Penalty specified in this Schedule or upon conviction shall be liable to a fine or imprisonment or to both a fine and imprisonment as specified in Subpart M as supplemented by Schedule 2.

29.025 FALSE STATEMENTS, ENTRIES OR UNAUTHORISED REPRODUCTION

- (a) A person shall not make, or cause to be made, any of the following—
- (1) a fraudulent or intentionally false statement in any Aerodrome Operator Security Program or an application for any security program;
 - (2) a fraudulent or intentionally false entry in any record or report that is kept, made or used to show compliance with this Schedule or exercise any privileges under this Schedule; and
 - (3) a reproduction or alteration of any report, record, security program, issued under this Schedule without the approval of the aerodrome operator.

29.027 INTERNATIONAL AUDITS

- (a) The Commonwealth of The Bahamas represented by the Authority shall submit to international audits by international agencies as part of its international obligations. All entities having responsibilities under this National Civil Aviation Security Program shall duly comply with such international audits. The entities shall include but not limited to—
- (1) International airports and designated domestic airport operators;
 - (2) Any other aerodrome operator specified by the Authority;
 - (3) National aircraft operators;
 - (4) Foreign aircraft operators;
 - (5) Aerodrome tenants and/or operators of Tenant Restricted Areas at airports to which the National Civil Aviation Security Program applies;
 - (6) Any person/entity providing a service to an aircraft operator; and
 - (7) Any person or organisation in possession of a Security Program that they are required to have, or has been approved by, the Authority.

29.029 CERTIFICATION

- (a) Aviation security screeners, security instructors, national inspectors/auditors and security managers shall be certified by the Authority in accordance with the provisions as contained in the National Civil Aviation Security Training Program.
- (b) Aviation security training organisations shall be certified by the Authority in accordance with the provisions as contained in the National Civil Aviation Security Training Program.
- (c) Aviation security service providers shall be certified by the Authority in accordance with the provisions as contained in the National Civil Aviation Security Program.

SUBPART B: GENERAL SECURITY REQUIREMENTS

29.030 PROTECTION OF SENSITIVE SECURITY INFORMATION

- (a) For the purpose of the requirements of this Schedule, the following information and records containing such information constitute sensitive security information—
- (1) an approved security program for an aircraft operator, aerodrome operator, regulated agent, flight catering operator, or tenant restricted area operator;

- (2) any security program that relates to transportation by air and any comments, instructions or implementing guidance pertaining thereto;
- (3) security directives, information circulars and any comments, instructions or implementing guidance pertaining thereto;
- (4) any profile used in any security screening process, including for persons, baggage or cargo;
- (5) any security contingency plan or information and any comments, instructions, or implementing guidance pertaining thereto;
- (6) technical specifications of any device used for the detection of any deadly or dangerous weapon, explosive, incendiary, or destructive substance;
- (7) a description of, or technical specifications of, objects used to test screening equipment;
- (8) communication procedures and technical specifications of any security communication equipment;
- (9) any information that the Authority has determined may reveal a systemic vulnerability of the aviation system or a vulnerability of aviation facilities, to attack;
- (10) information concerning threats against civil aviation released by the Authority;
- (11) specific details of aviation security measures whether applied directly by the Authority or regulated parties and include, but not limited to, information concerning specific numbers of aviation security officers and aviation security screening officers, deployments or missions, and the methods involved in such operations;
- (12) any other information, the disclosure of which the Authority has prohibited; and
- (13) any draft, proposed or recommended change to the information and records specified in this Schedule.

29.032 MEASURES RELATING TO CYBER THREATS

- (a) The Authority will, in accordance with the risk assessment carried out by its relevant national organisations, ensure that measures are developed in order to protect critical information and communications technology systems used for civil aviation purposes from interference that may jeopardize the safety of civil aviation.
- (b) The Authority should encourage entities involved with or responsible for the implementation of various aspects of the national civil aviation program to identify their critical information and communications technology systems, including threats and vulnerabilities thereof, and develop protective measures to include, inter alia, security by design, supply chain security, network separation, and remote access control, as appropriate.

29.035 CONFIDENTIAL OR CLASSIFIED SECURITY INFORMATION

- (a) A person shall not divulge information in respect of security measures in effect at an aerodrome without the permission of the aerodrome operator.

29.040 SEARCH OF PERSONS & GOODS

- (a) Any person who, prior to entering a restricted area, enhanced security restricted area or sterile area is required by an aviation security officer or aviation security screening officer—
 - (1) to submit to a search of his person;
 - (2) to permit a search to be carried out of the goods that such person intends to take or have placed on board an aircraft or take into a restricted area; or
 - (3) to submit to a search of a vehicle or other means of conveyance, under his control; and
 - (4) shall not be granted access to the restricted area, enhanced security restricted area or sterile area unless he submits to a search or permits a search to be carried out, as the case may be.
- (b) Where a person is given an order by an aviation security officer or aviation security screening officer pursuant to paragraph (a), the person shall thereupon leave the restricted area, enhanced security

restricted area or sterile area immediately and remove the goods, vehicle or means of conveyance in his possession from the restricted area, enhanced security restricted area or sterile area.

- (c) A person under (b) who is requested to leave a restricted area, enhanced security restricted area or sterile area shall be escorted out of such restricted area, enhanced security restricted area or sterile area by an aviation security officer or aviation security screening officer and handed over to a law enforcement officer.

29.045 PASSENGERS & MEMBERS OF THE PUBLIC

- (a) A person shall not carry, or attempt to carry, or conceal weapons, prohibited items or other dangerous devices not authorised for transport, on his person, in carry-on baggage or in hold baggage, at an aerodrome or on board an aircraft.

Note: A list of prohibited items is provided in Appendix 1 to 29.045. This list shall continue to be updated by security directives.

- (b) A person shall declare to an aircraft operator the intended carriage of firearms and any prohibited item on his person, carry-on baggage or hold baggage.
- (c) A person shall not knowingly make a false statement which may jeopardize the safety of an aircraft in flight or on the ground, of passengers, crew, ground personnel or the general public, at an airport or on the premises of a civil aviation facility.
- (d) A person shall not make a false statement to an aviation security officer, an aviation security screening officer, an aircraft operator, an airport staff or a member of the Security Services assigned to aerodrome duties, in regard to possession of a weapon, incendiary device or any other dangerous device.
- (e) A person shall not enter or remain in any part of an aerodrome that is not a public area where a notice is given orally by the aerodrome operator, aerodrome tenant, and aircraft operator or by a posted sign stating that trespassing is prohibited, or that entry is restricted to authorised persons as stipulated in the appropriate Airport Directives
- (f) Where a person has been ordered to disembark from an aircraft in accordance with Section 29.055, that person shall disembark from the aircraft and remove his carry-on baggage and have his checked baggage removed from the aircraft.

29.050 SUBMISSION TO SCREENING

- (a) A person shall not enter an enhanced security restricted area or sterile area without submitting to the screening of his person and property in accordance with the procedures being applied to control access to that area under Section 29.260.

29.055 REFUSAL OF SCREENING

- (a) Subject to Section 29.245(h), any person who refuses to allow himself and his carry-on baggage, goods or other articles in his possession to be screened will be denied access to the enhanced security restricted area or sterile area.
- (b) Where, after entering an enhanced security restricted area or sterile area, a person who is required by an aviation security officer or aviation security screening officer, to submit to screening of his person, goods, vehicle or means of conveyance refuses such a search, the aviation security officer or aviation security screening officer shall order such person to leave the enhanced security restricted area or sterile area and remove such goods, vehicle or means of conveyance from the enhanced security restricted area or sterile area.
- (c) Where, after having boarded an aircraft, a passenger is required by an aviation security officer or aviation security screening officer to submit to the screening of his person, or of the goods that the passenger carried or had placed on board the aircraft and the passenger refuses such a screening, the aviation security officer or aviation

security screening officer shall order such person to disembark the aircraft and remove the carry-on baggage, goods or checked baggage of such person.

29.060 UNACCOMPANIED BAGGAGE

- (a) Where baggage is received at an aerodrome for transport on an aircraft and such baggage is not accompanied by a person who may give the permission to screen such baggage, an aviation security officer or aviation security screening officer, may carry out an authorised search of the baggage in the presence of the aircraft operator concerned or a regulated agent, and in carrying out that search may use such force as may reasonably be necessary to gain access to the baggage.

29.065 ACCESS TO AERODROME RESTRICTED AREAS

- (a) A person shall only be allowed access to aerodrome restricted areas in accordance with the requirements of the appropriate Airport (Restricted Area) Directive.
- (b) A person who has been granted access to a restricted area of an aerodrome shall only access or attempt to access such restricted area at a designated restricted area access control point.
- (c) Subject to paragraph (d), a person shall not—
- (1) provide another person with physical access to a restricted area where the latter has not been issued with a restricted area permit; or
 - (2) assist another person in gaining physical access to a restricted area where the latter has been issued a restricted area permit but does not have such restricted area permit in his possession.
- (d) Notwithstanding paragraph (c), a person may enter certain restricted areas of an aerodrome where such person—
- (1) has a valid boarding pass issued by an aircraft operator, is proceeding to the assigned gate for the purpose of boarding an aircraft and has been subjected to the screening requirements of this Schedule; or
 - (2) is identified in the emergency response plan of the aerodrome operator and is attending to an aerodrome emergency.

29.070 RESTRICTION ON ENTRY INTO ENHANCED SECURITY RESTRICTED AREAS & STERILE AREA

- (a) A person shall not enter an enhanced security restricted area or a sterile area unless that person has been screened and cleared for entry by an aviation security officer or aviation security screening officer.

29.075 CONTROL OF PASSES AND KEYS TO SECURITY RESTRICTED AREAS

- (a) No person shall—
- (1) Loan or give a security restricted area pass or key that was issued to him/her to another person;
 - (2) Alter or otherwise modify a security restricted area pass or key;
 - (3) Have or use a security restricted area pass or key that was issued to another person;
 - (4) Knowingly use a counterfeit security restricted area pass or key;
 - (5) Make or reproduce a copy of a security restricted area pass; or
 - (6) Possess, use or attempt to use an expired security restricted area permit or pass.
- (b) Airport restricted area permits shall be returned—
- (1) on demand;
 - (2) upon termination of appointment with the sponsoring department; or
 - (3) when it is no longer required.
- (c) An airport restricted area pass shall be worn and displayed at chest level at all times within restricted area and must be produced on demand by a security officer.

- (1) No person other than the Airport Manager (or persons occupying such analogous positions) shall—
- (2) Make a copy of a key;
- (3) Disclose a combination code for accessing a restricted area;
- (4) Use a combination code not assigned to them;
- (5) Disclose a personal identification code; or
- (6) Use another person's identification code.

29.080 SCREENING OF DIPLOMATS

- (a) Subject to the provisions of the Vienna Convention on Diplomatic Relations, diplomats and other privileged persons and their personal baggage shall be screened for security purposes.
- (b) Diplomatic bags shall not be screened using X-ray or Trace Explosive Detectors and shall not be opened and physically searched.
- (c) Staff of commercial operators responsible for receiving diplomatic bags shall make sure that the bearers of the bags have, in fact, been sent by duly-appointed officials of the missions concerned.

Note: Diplomatic couriers and their personal baggage are not exempt from screening and shall be screened in the same manner as other passengers.

29.085 SECURITY INCIDENTS

- (a) An aerodrome operator, aircraft operator, aerodrome tenant, regulated agent, aviation service provider or an air traffic service provider shall immediately notify an aviation security officer, aviation security screening officer, or a police officer when there is—
 - (1) the discovery of an unauthorised firearm other than an unloaded firearm allowed under the security program of an aircraft operator;
 - (2) the discovery of other prohibited items, as listed in Appendix 1 to 29.045;
 - (3) the discovery, at the aerodrome, or on board an aircraft, of an explosive substance or an incendiary device or a suspected explosive substance or suspected incendiary device;
 - (4) refusal by a person to submit to the security screening required under this Schedule;
 - (5) refusal by a person to remove himself and his goods from a restricted area when so ordered by an aviation security officer;
 - (6) a report of unattended baggage located in his area of responsibility;
 - (7) a report of suspicious persons, packages, articles or goods in his area of responsibility; or
 - (8) a specific threat against the aerodrome comes to his attention.
- (b) An aerodrome operator shall investigate any of the reported security incidents set out under paragraph (a), and provide a report of the incident to the Authority in accordance with procedures set out in his approved Aerodrome Operator Security Program.

SUBPART C: SECURITY DIRECTIVES

29.090 ISSUE OF SECURITY DIRECTIVES

- (a) The Authority may, for the purpose of implementation of any of the Security Programs required under this Schedule, issue a security directive to any person to whom paragraph (c) applies requiring him to take such measures specified in the directive.
- (b) Where the Authority intends to issue a security directive, he may seek the advice of the National Aviation Security Committee on the proposed Directive before issuing it.
- (c) This paragraph applies to—
 - (1) the Airport Authority;

- (2) the manager of an aerodrome other than an aerodrome which is principally used by aircraft in military service;
 - (3) any operator of an aircraft registered or operating in The Bahamas;
 - (4) any person who occupies any land forming part of an aerodrome;
 - (5) any person who is permitted to have access to a restricted area in an aerodrome for the purposes of the activities of a business carried on by him;
 - (6) any person who manages navigational or other aviation related facilities that are important to the continued operation of international civil aviation;
 - (7) any passenger or flight crew member;
 - (8) any person who carries on a business—
 - (i) which involves handling of any article intended to be carried into an aerodrome for any purpose;
 - (ii) which involves provision of service by personnel who have access to a restricted area; or
 - (iii) which, in the opinion of the Authority, otherwise impinges on the security of an aerodrome; or
 - (9) any other entity or person as may be determined by the Authority.
- (d) The Authority may, by a Security Directive—
- (1) revoke wholly or partly another security directive issued previously; and
 - (2) modify another security directive issued previously in such manner as he thinks fit; and
 - (3) modify a provision within this Schedule as is necessary for the immediate prevention of a security threat.
- (e) Any person who without reasonable cause fails to comply with the requirements of a security directive issued to him commits an offence and may be liable to the penalty specified in Subpart M upon conviction shall be liable to a fine or imprisonment or to both a fine and imprisonment as specified in the Schedule 2.

29.095 REQUIREMENTS OF SECURITY DIRECTIVES

- (a) A security directive shall be issued in writing.
- (b) A security directive may—
 - (1) be either of a general or of a specific character;
 - (2) require any measure to be taken, or require any person not to cause or permit anything to be done, at such time and during such period as may be specified in the directive;
 - (3) require different measures be taken in relation to different kinds or level of threat specified in the directive;
 - (4) specify—
 - (i) the minimum number of persons to be employed for the purposes of implementing any measures required to be taken by the person to whom it is issued;
 - (ii) the manner in which persons employed for such purposes are to be deployed; and
 - (iii) the qualifications which persons employed for such purposes are to have; and
 - (5) specify any apparatus, equipment or other aids to be used for such purposes.
- (c) A security directive to any person not to cause or permit anything to be done shall be construed as requiring him to take all such steps as in any particular circumstances are practicable and necessary to prevent that thing from being done.
- (d) A security directive may be issued to a person appearing to the Authority to be about to become a person to whom Section 29.490(c) applies, but a security directive issued to a person by virtue of this paragraph shall not take effect until he becomes such a person, and, in relation to a security directive so issued, the preceding provisions of this Section shall apply with the necessary modifications.

29.100 IMPLEMENTATION OF SECURITY DIRECTIVES

- (a) Any person who receives a specific Security Directive shall—

- (1) no later than 24 hours after delivery by the Authority or within the time prescribed in the security directive, acknowledge receipt of such security directive;
 - (2) within the time prescribed in such security directive, specify the method by which the aerodrome operator, aircraft operator, flight catering operator, regulated agent, tenant restricted area operator, aviation service provider or air traffic service provider has implemented or plans to implement the measures contained in the security directive; and
 - (3) ensure that information regarding the security directive and measures implemented in response to such security directive are distributed to specified personnel as prescribed in the security directive and to other personnel who require to have such information for the performance of their functions.
- (b) In the event that an aerodrome operator, aircraft operator, flight catering operator, regulated agent, tenant restricted area operator, aviation service provider or an air traffic service provider is unable to implement the measures contained in the security directive, received under paragraph (a), he shall submit proposed alternative measures, to the Authority within the time frame for compliance prescribed in the security directive.
- (c) The Authority shall review alternative measures submitted by the aerodrome operator, aircraft operator, catering operator, regulated agent, tenant restricted area operator, aviation service provider or air traffic service provider under paragraph (b), and where he is satisfied that they meet the requirements of the security directive, he may approve such alternative measures.
- (d) The aerodrome operator, aircraft operator, flight catering operator, regulated agent, tenant restricted area operator, aviation service provider or air traffic service provider shall implement any alternative measures approved by the Authority
- (e) Any person who receives a security directive or information circular, under Section 29.090(c) shall—
- (1) restrict the availability of the security directive or information circular and information therein to those persons who require such information for the performance of their functions; and
 - (2) shall not release the security directive or information circular and information regarding the security directive or information circular to other persons without the prior written consent of the Authority.

29.105 APPLICATION FOR EXEMPTION FROM A SECURITY DIRECTIVE

- (a) A person or entity to whom a specific security directive is issued may apply to the Authority requesting for a review of provisions in the directive, on the grounds that the measures specified in the directive are excessively onerous or impracticable.
- (b) Upon receipt of such a request, the Authority shall consider the grounds for the review and, if so requested by the applicant, may afford to him a reasonable opportunity of appearing before and being heard by the Authority.
- (c) The Authority may, following the hearing decide on the request by—
- (1) confirming the directive as originally issued;
 - (2) confirming the directive subject to one or more modifications specified in the notice served under paragraph (a); or
 - (3) withdrawing the directive.
- (d) A decision under paragraph (b) shall be notified to the Applicant by the Appropriate Authority in writing.

SUBPART D: SECURITY PROGRAMS

29.110 GENERAL CONDITIONS FOR SECURITY PROGRAM

- (a) An international airport operator or designated domestic airport operator shall not operate the aerodrome specified in his aerodrome licence unless he has submitted, for such aerodrome, a proposed Airport

Security Program, which meets the requirements of this Schedule for acceptance and subsequent approval by the Authority.

- (b) A person shall not operate a Bahamas registered aircraft within The Bahamas or internationally unless he has submitted a proposed Aircraft Operator Security Program for his operations to the Authority for its acceptance and subsequent approval.
- (c) A foreign airline operator shall not conduct operations in The Bahamas unless he has submitted a proposed Airline Operator Security Program as part of his application for air services to the Authority for its acceptance and subsequent approval.
- (d) A person shall not operate an enterprise or an organisation whose purpose is the movement of cargo by air, within and through The Bahamas, unless he has submitted a proposed Regulated Agent Security Program for his operations, to the Authority for its acceptance and subsequent approval, or has satisfied the Authority that appropriate security controls are in place for each consignment of cargo to safeguard aircraft against an act of unlawful interference.
- (e) A person shall not operate an enterprise or an organisation whose purpose is the provision of catering supplies and stores for use in air transport, within and through The Bahamas, unless he has submitted a proposed Flight Catering Operator Security Program for his operations, to the Appropriate Airport Authority and to the Authority for acceptance and subsequent approval by the Authority.
- (f) A person shall not operate an enterprise or an organisation which provides a service at, or connected with, any designated airport within The Bahamas, whether or not that service provider occupies land deemed to be a Tenant Restricted Area under the appropriate Airport (Restricted Area) Directives, unless he has submitted a proposed Aviation Service Provider Security Program or Tenant Restricted Area Security Program for his operations, to the Airport Authority and to the Authority for acceptance and subsequent approval by the Authority.
- (g) Where a person or an entity wishes his proposed security program under this Schedule to be approved by the Authority he shall—
 - (1) submit such security program in writing at least 60 days before the intended date of operations;
 - (2) pay the prescribed fee; and
 - (3) meet the requirements of this Schedule.
- (h) A security program under this Schedule shall be signed by the applicant and provide for the safety of—
 - (1) passengers, crew and their property;
 - (2) the aircraft;
 - (3) operating staff associated with the facility or aircraft;
 - (4) related aviation support facilities; and
 - (5) in all matters related to acts of unlawful interference.
- (i) All operators shall submit their Security programs to the Authority annually for review.

29.115 ADDITIONAL REQUIREMENTS FOR APPLICATIONS

- (a) Where a person or operator, submits his security program as part of his application for—
 - (1) an aerodrome operator certificate under Schedule 21;
 - (2) an Air Operator Certificate under Schedule 12; and
 - (3) a foreign air operator operations specifications authorisation under the Schedule 20.
- (b) That entity shall, in addition to meeting the requirements of the applicable Schedules, meet the requirements for his security program under this Schedule.
- (c) For the purpose of administering this Schedule a security program shall be assessed by the Authority, for adequacy.

29.120 ACCEPTANCE OF SECURITY PROGRAMS

- (a) Where the Authority is satisfied that a proposed security program submitted meets the requirements of this Schedule and does not conflict with the National Civil Aviation Security Program, he may accept such proposed security program.
- (b) Where the Authority determines that a proposed security program submitted requires modification he may direct the applicant to modify and re-submit the proposed security program for acceptance and approval.
- (c) An acceptance under this Schedule does not authorise the aerodrome operator, aircraft operator, regulated agent, flight catering operator who submitted a proposed security program for approval under this Schedule to conduct operations until the implementation of such program has been evaluated and the program has been approved for use.
- (d) Where the Authority is satisfied that the submitted security program does not meet the requirements of this Schedule and is in conflict with the National Civil Aviation Security Program, then such Security Program will not be approved and the aerodrome operator, aircraft operator, flight catering operator, aviation service provider, tenant restricted area operator, or regulated agent, if he continues operations, commits an offence and is subject to the penalties outlined in Subpart M as supplemented by Schedule 2.

29.125 CONTENTS OF AN AERODROME OPERATOR SECURITY PROGRAM

- (a) An Aerodrome Operator Security Program in respect of a licenced aerodrome shall outline the measures in place to safeguard that airport against acts of unlawful interference and shall be in such form, manner and content as specified in the National Civil Aviation Security program.
- (b) An Aerodrome Operator Security Program under paragraph (a), shall be accompanied by a current scale map of the aerodrome

29.130 DEVELOPMENT OF SECURITY MEASURES

- (a) In developing an Aerodrome Operator Security Program an aerodrome operator shall take into consideration the needs of all aviation stakeholders, including—
 - (1) reasonable access to aerodrome facilities and aircraft; and
 - (2) the optimizing of aerodrome security arrangements in his development, renovation and expansion plans.

29.135 APPROVED AERODROME OPERATOR SECURITY PROGRAM

- (a) Upon a proposed Aerodrome Operator Security Program submitted under Section 29.110(a) being accepted by the Authority the aerodrome operator shall within 30 days of such acceptance ensure that such Aerodrome Operator Security Program is implemented and in full operation.
- (b) Where an aerodrome operator has implemented his accepted Aerodrome Operator Security Program he shall notify the Authority that he—
 - (1) has implemented such accepted Aerodrome Operator Security Program; and
 - (2) wishes to commence operations under such implemented Aerodrome Operator Security Program once it is approved by the Authority.
- (c) Where the Authority is satisfied that the Aerodrome Operator Security Program implemented at the aerodrome and the accepted Aerodrome Operator Security Program of the aerodrome operator are identical, he may approve the Aerodrome Operator Security Program for full operation in commercial air transport operations.
- (d) Notwithstanding paragraph (c), where the Aerodrome Operator Security Program implemented at the aerodrome and the accepted Aerodrome Operator Security Program are not identical, but the differences are within an acceptable level the Authority may approve such Aerodrome Operator Security Program.

29.140 CONTENTS OF AN AIRLINE OPERATOR SECURITY PROGRAM

- (a) A proposed Aircraft Operator Security Program required under shall meet the requirements of the National Civil Aviation Security Program and shall be in such form, manner and content as specified in the National Civil Aviation Security Program.

29.145 DEVELOPMENT OF SECURITY MEASURES

- (a) In addition to the requirements spelt out in Section 29.140(a) an aircraft operator shall ensure that his Aircraft Operator Security Program, contains—
 - (1) provisions to meet his international obligations where applicable; and
 - (2) provisions to meet the requirement of other National obligations under the Act or other Bahamas requirements made hereunder.

29.150 APPROVAL OF AIRCRAFT OPERATOR SECURITY PROGRAM

- (a) Upon a proposed Aircraft Operator Security Program submitted under Section 29.110(c) being accepted by the Authority, the aircraft operator shall within 30 days of such acceptance ensure that such Aircraft Operator Security Program is implemented and in full operation.
- (b) Where an aircraft operator has implemented his accepted Aircraft Operator Security Program, he shall notify the Authority that he—
 - (1) has implemented such accepted Aircraft Operator Security Program; and
 - (2) wishes to commence operations under such implemented Aircraft Operator Security Program once it is approved by the Authority.
- (c) Where the Authority is satisfied that the Aircraft Operator Security Program implemented by the aircraft operator and the accepted Aircraft Operator Security Program are identical, he may approve the Aircraft Operator Security Program for full operation in commercial air transport operations.
- (d) Notwithstanding paragraph (c), where the Aircraft Operator Security Program implemented by the aircraft operator and the accepted Aircraft Operator Security Program are not identical, but the differences are within an acceptable level the Authority may approve such Aircraft Operator Security Program.

29.155 CONTENTS OF A REGULATED AGENT SECURITY PROGRAM

- (a) A regulated agent shall ensure that his Regulated Agent Security Program, contains—
 - (1) provisions to meet the requirements of the National Civil Aviation Security Program and his national obligations under the Act or requirements of this Schedule; and
 - (2) include details of procedures for—
 - (i) ensuring the security of goods accepted by him and under his control;
 - (ii) ensuring the security of his buildings, premises, transport facilities and cargo warehouses;
 - (iii) ensuring the security of goods during the transfer from one facility to another;
 - (iv) recruitment and training of staff involved in the handling of goods; and
 - (v) incident reporting.

29.160 APPROVAL OF REGULATED AGENT SECURITY PROGRAM

- (a) Upon a proposed Regulated Agent Security Program, accepted by the Authority the regulated agent shall within 30 days of such acceptance ensure that such accepted Regulated Agent Security Program is implemented and in full operation.
- (b) Where the regulated agent has implemented his accepted Regulated Agent Security Program in accordance with paragraph (a), he shall—
 - (1) notify the Authority that he has implemented his accepted Regulated Agent Security Program; and

- (2) wishes to commence operations under such implemented Regulated Agent Security Program once it is approved by the Appropriate Authority.
- (c) Where the Authority is satisfied that the Regulated Agent Security Program implemented by the regulated agent and the accepted Regulated Agent Security Program are identical, he may approve the Regulated Agent Security Program, (hereinafter referred to as “an approved Regulated Agent Security Program”) for full operation in the operations of the regulated agent.
- (d) Notwithstanding paragraph (c), where the approved Regulated Agent Security Program implemented by the regulated agent and the accepted Regulated Agent Security Program are not identical, but the differences are within an acceptable level the Authority may approve such Regulated Agent Security Program.

29.165 CONTENTS OF A FLIGHT CATERING OPERATOR SECURITY PROGRAM

- (a) A flight catering operator shall ensure that his Flight Catering Operator Security Program, contains provisions to meet the requirements of the National Civil Aviation Security Program and his national obligations under the Act or requirements of this Schedule.
- (b) A Flight Catering Operator Security Program shall describe the measures in place to safeguard that facility against acts of unlawful interference and shall be in such form, manner and content as specified by the Authority.
- (c) A Flight Catering Operator Security Program required under paragraph (a), shall be accompanied by a current scale map of the flight catering facility area of operations.
- (d) Notwithstanding paragraph (c), in the case where the area in which the flight catering operator conducts his business has been declared a Tenant Restricted Area under the appropriate Airport (Restricted Area) Directives, then the requirement for maps will be in accordance with the requirements of Section 29.175(b).

29.170 APPROVAL OF FLIGHT CATERING OPERATOR SECURITY PROGRAM

- (a) Upon a proposed Flight Catering Operator Security Program being accepted by the Authority under Section 29.110(e) the flight catering operator shall within 30 days of such acceptance ensure that such accepted Flight Catering Operator Security Program is implemented and in full operation.
- (b) Where the flight catering operator has implemented his accepted Flight Catering Operator Security Program in accordance with paragraph (a), he shall—
 - (1) notify the Authority that he has implemented his accepted Flight Catering Operator Security Program; and
 - (2) wishes to commence operations under such implemented Flight Catering Operator Security Program once it is approved by the Authority.
- (c) Where the Authority is satisfied that the Flight Catering Operator Security Program implemented by the flight catering operator and the accepted Flight Catering Operator Security Program are identical, he may approve the Flight Catering Operator Security Program, (hereinafter referred to as “an approved Flight Catering Operator Security Program”) for full operation in the operations of the flight catering operator.
- (d) Notwithstanding paragraph (c), where the Flight Catering Operator Security Program implemented by the flight catering operator and the accepted Flight Catering Operator Security Program are not identical, but the differences are within an acceptable level the Authority may approve such Flight Catering Operator Security Program.

29.175 CONTENTS OF A TENANT RESTRICTED AREA SECURITY PROGRAM

- (a) A Tenant Restricted Area Security Program in respect of an area located at a designated aerodrome, and specified in the appropriate Airport (Restricted Area) Directives, shall be designed to safeguard both the

Tenant Restricted Area and the aerodrome connected with the TRA, against acts of unlawful interference and shall be in such form, manner and content as specified in the National Civil Aviation Security Program.

- (b) A Tenant Restricted Area Security Program under paragraph (a), shall be accompanied by a current scale map of the TRA, as required and produced under the appropriate Airport (Restricted Area) Directives.

29.180 APPROVAL OF TENANT RESTRICTED AREA SECURITY PROGRAM

- (a) Upon a proposed Tenant Restricted Area Security Program being accepted by the Authority under Section 29.110(f), the Tenant Restricted Area operator shall within 30 days of such acceptance ensure that such accepted Tenant Restricted Area Security Program is implemented and in full operation.
- (b) Where the Tenant Restricted Area operator has implemented his accepted Tenant Restricted Area Security Program in accordance with paragraph (a), he shall—
 - (1) notify the Authority that he has implemented his accepted Tenant Restricted Area Security Program; and
 - (2) wishes to commence operations under such implemented Tenant Restricted Area Security Program once it is approved by the Authority.
- (c) Where the Authority is satisfied that the Tenant Restricted Area Security Program implemented by the operator of a tenant restricted area and the accepted Tenant Restricted Area Security Program are identical, he may approve the TRA Security Program, (hereinafter referred to as “an approved Tenant Restricted Area Security Program”) for full operation in the operations of the tenant restricted area.
- (d) Notwithstanding paragraph (c), where the Tenant Restricted Area Security Program implemented by the operator of a tenant restricted area and the accepted TRA Security Program are not identical, but the differences are within an acceptable level the Authority may approve such Tenant Restricted Area Security Program.

29.185 CONTENTS OF AN AVIATION SERVICE PROVIDER SECURITY PROGRAM

- (a) An aviation service provider shall ensure that his Security Program contains provisions to meet the requirements of the National Civil Aviation Security Program and his national obligations under the Act or the requirements of this Schedule.
- (b) An aviation service provider shall ensure that his Security Program shall be designed to describe the measures in place to safeguard that facility against acts of unlawful interference and shall be in such form, manner and content as specified in the National Civil Aviation Security Program.

29.190 APPROVAL OF AN AVIATION SERVICE PROVIDER SECURITY PROGRAM

- (a) Upon a proposed Aviation Service Provider Security Program being accepted by the Authority, the aviation service provider shall within 30 days of such acceptance ensure that such accepted Security Program is implemented and in full operation.
- (b) Where the aviation service provider has implemented his accepted Aviation Service Provider Security Program in accordance with paragraph (a), he shall—
 - (1) notify the Authority that he has implemented his accepted Security Program; and
 - (2) wishes to commence operations under such implemented Security Program once it is approved by the Authority.
- (c) Where the Authority is satisfied that the Security Program implemented by the aviation service provider and the accepted Security Program are identical, he may approve the Security Program, (hereinafter referred to as “an approved Aviation Service Provider Security Program”) for full operation in the operations of the aviation service provider.

- (d) Notwithstanding paragraph (c), where the Security Program implemented by the aviation service provider and the accepted Security Program are not identical, but the differences are within an acceptable level the Authority may approve such Security Program.

29.195 CONTENTS OF AN AIR TRAFFIC SERVICE PROVIDER SECURITY PROVISIONS

- (a) An air traffic service provider shall ensure that his Security Provisions contain adequate procedures to meet the requirements of the National Civil Aviation Security Program and his national obligations under the Act or requirements of this Schedule.
- (b) An air traffic service provider shall ensure that his Security Provisions shall be designed to describe the measures in place to safeguard that facility against acts of unlawful interference and shall be in such form, manner and content as specified in the National Civil Aviation Security Program.

29.200 APPROVAL OF AN AIR TRAFFIC SERVICE PROVIDER SECURITY PROVISIONS

- (a) Upon a proposed Air Traffic Service Provider Security Provisions being accepted by the Authority, the air traffic service provider shall within 30
- (b) days of such acceptance ensure that such accepted Security Provisions are implemented and in full operation.
- (c) Where the air traffic service provider has implemented his accepted Air Traffic Service Provider Security Provisions in accordance with paragraph (a), he shall—
- (1) notify the Authority that he has implemented his accepted Security Provisions; and
 - (2) wishes to commence operations under such implemented Security Program once it is approved by the Authority.
- (d) Where the Authority is satisfied that the Security Provisions implemented by the air traffic service provider and the accepted Security Provisions are identical, he may approve the Security Provisions, (hereinafter referred to as “an approved Air Traffic Service Provider Security Program”) for full operation in the operations of the air traffic service provider.
- (e) Notwithstanding paragraph (c), where the Security Provisions implemented by the air traffic service provider and the accepted Security Provisions are not identical, but the differences are within an acceptable level the Authority may approve such Security Provisions.

29.205 MODIFICATIONS TO OPERATIONAL PARTICULARS AFFECTING SECURITY

- (a) Where a security program has been approved (hereinafter referred to as “an approved Security Program”), the aerodrome operator, aircraft operator, regulated agent, flight catering operator, aviation service provider, tenant restricted area operator or air traffic service provider, where applicable shall follow the procedures under paragraph (b), whenever he determines—
- (1) any description of his operations set out in his program is no longer accurate, the procedures included, and the facilities and equipment described, in such Approved Security program are no longer adequate;
 - (2) in respect of an aerodrome operator—
 - (i) any description of the aerodrome area set out in such Aerodrome Operator Security Program is no longer accurate; and
 - (ii) the changes to the designation of the Aerodrome Security Manager required under Section 29.275.
- (b) Whenever a condition described under paragraph (a), occurs the aerodrome operator, aircraft operator, regulated agent, flight catering operator, aviation service provider, tenant restricted area operator or air traffic service provider, where applicable shall—
- (1) immediately notify the Authority of the changed condition, and identify each interim measure being taken to maintain adequate security until approval is granted for an appropriate amendment to his approved Security Program; and

- (2) within 30 days after notifying the Authority in accordance with paragraph 2(a), submit for approval in accordance with Section 29.210, an amendment to his Security Program to bring it into compliance with this Schedule.

29.210 AMENDMENT OF APPROVED SECURITY PROGRAM

- (a) Where an aerodrome operator, aircraft operator, regulated agent, flight catering operator, tenant restricted area operator, aviation service provider or air traffic service provider wishes to amend his approved Security Program, he shall submit the request for such approval to the Authority at least 30 days before the proposed effective date of intended implementation of the amended approved Security Program.
- (b) When the Authority is satisfied that the proposed amendment to the approved Security Program provides the level of security required by this Schedule, he may approve the amended approved Security Program.

29.215 AMENDMENT OF APPROVED SECURITY PROGRAM BY THE AUTHORITY

- (a) The Authority may require that an aerodrome operator, aircraft operator, regulated agent, flight catering operator, tenant restricted area operator, aviation service provider or air traffic service provider, amend his approved Security Program, where he determines that safety and the public interest require the amendment.
- (b) Except in an emergency as provided under paragraph (e), where the Authority requires an aerodrome operator, aircraft operator, regulated agent, flight catering operator, tenant restricted area operator, aviation service provider or air traffic service provider, to amend his approved Security Program under paragraph (a), the Authority shall notify the aerodrome operator, aircraft operator, regulated agent, flight catering operator, or tenant restricted area operator in writing of the required amendment and allow a period of 30 days from the date contained in the notice, for a written response from such aerodrome operator, aircraft operator, regulated agent, flight catering operator, or tenant restricted area operator.
- (c) Upon receipt of a notice of a proposed amendment under paragraph (b), the aerodrome operator, aircraft operator, regulated agent, flight catering operator, tenant restricted area operator, aviation service provider or air traffic service provider, may submit an alternative amendment to his approved Security Program which meets the intent of the required amendment, for consideration by the Authority.
- (d) When the Authority is satisfied that the alternative amendment submitted under paragraph (c), would provide an overall level of security equal to that required by the Authority, he may approve the alternative amendment to the approved Security Program.

SUBPART E: AERODROME OPERATORS

29.220 AERODROME OPERATOR RESPONSIBILITIES

- (a) An aerodrome operator shall, prior to the implementation of any renovation and expansion works to his aerodrome or the construction of additional aerodrome facilities at the same location, submit to the Authority a revision of his measures designed to safeguard against acts of unlawful interference which may arise.
- (b) Where a foreign air operator uses the aerodrome facilities of an aerodrome operator the Authority may, in coordination with the aerodrome operator approve an inspection by the Appropriate Authority responsible for aviation security of the State of such foreign air operator in order to assess the adequacy of the security measures.
- (c) An aerodrome operator shall keep at the aerodrome a current scale map of the aerodrome that identifies the restricted areas security barriers and restricted area access points in accordance with the appropriate Airport (Restricted Area) Directives,

29.225 AERODROME SECURITY COMMITTEE

- (a) An aerodrome operator shall establish an Aerodrome Security Committee to assist in coordinating the implementation of any national civil aviation security initiatives that may be required by the Authority from time to time.
- (b) An Aerodrome Security Committee under paragraph (a), shall comprise of those representatives stipulated within the respective Airport Security Programs approved by the Authority.

29.230 AVIATION SECURITY OFFICERS & AVIATION SECURITY SCREENING OFFICERS

- (a) An aviation security officer or aviation security screening officer shall—
 - (1) abstain from the consumption of alcoholic beverages or other substances prohibited by law while assigned to duty; and
 - (2) be readily identifiable by uniform and display his badge or other form of identification and carry a badge or other identification of his authority where applicable while assigned to duty; and
 - (3) shall complete a training program that meets the requirements under paragraph (e). Where the Authority determines that an emergency exists which requires immediate action that makes the procedures in paragraphs (b) and (c), impracticable or contrary to public interest and safety, he may direct the aerodrome operator, aircraft operator, regulated agent, catering operator, tenant restricted area operator, aviation service provider or air traffic service provider, to deviate in a specified manner from his approved security program in the area of concern, for a specified period.
- (b) An aviation security officer or aviation security screening officer shall—
 - (1) carry out the duties and functions assigned to him/her; and
 - (2) conduct the security duties in accordance with the applicable provisions of this Schedule.
- (c) An aviation security officer or aviation security screening officer shall, while on duty at an aerodrome, have the authority to arrest any person, whom he/she believes has committed—
 - (1) a crime in his/her presence; or
 - (2) an offence against any of the requirements of this Schedule or the appropriate Airport (Restricted Area) Directives in force.
- (d) Any person at an airport, who obstructs, insults, intimidates or performs any act of violence against an aviation security officer or aviation security screening officer, while that officer is on duty at an aerodrome, commits an offence and may be liable to a penalty specified in Subpart M or upon conviction shall be liable to a fine or imprisonment or to both the fine and imprisonment as specified in the Schedule 2.
- (e) The training program required under paragraph (a)(3), shall include training in the subjects specified in the approved Aerodrome Operators Security Program and meet the training standards specified in the National Civil Aviation Security Program and National Civil Aviation Security Training Program.

29.235 RESPONSIBILITY OF AERODROME OPERATOR

- (a) An aerodrome operator shall provide aviation security officers and aviation security screening officers, in the number and in a manner adequate to support—
 - (1) his Aerodrome Operator Security Program; and
 - (2) each passenger and baggage screening system required under any requirement of this Schedule.
- (b) An aerodrome operator shall not employ any person as an aviation security officer or aviation security screening officer unless—
 - (1) That person meets the requirements of this Schedule and the National Civil Aviation Security Program;

- (2) such person whose duties are in respect to screening of passengers, crew, baggage and mail, has been trained in accordance with the requirements of the National Civil Aviation Security Training Program; and
- (c) An aerodrome operator shall ensure that—
 - (1) initial and periodic background checks are performed in respect of each aviation security officer and aviation security screening officer; and
 - (2) initial and recurrent training on aviation security is received by each aviation security officer and aviation security screening officer in his employ.
- (d) An aerodrome operator shall keep an accurate record of the initial and periodic background check, experience and training of an aviation security officer and aviation security screening officer in his employ and such record shall be retained for the duration of his employment and thereafter for a period of one year.
- (e) An aerodrome operator shall ensure that an aviation security officer or aviation security screening officer employed by him—
 - (1) is authorised to carry out the duties and functions assigned to him;
 - (2) conducts security duties in accordance with the applicable provisions of this Schedule and the National Civil Aviation Security Program;
 - (3) abstains from the consumption of alcoholic beverages or other substances prohibited by law while assigned to duty; and
 - (4) is readily identifiable by uniform and displays or carries a badge or other identification of his authority while assigned to duty; and
 - (5) has completed a training program that meets the requirements under paragraph (b).
- (f) An Aerodrome operator shall approve the employment of an aviation screening officer or aviation security screening officer by an aerodrome tenant in accordance with the National Civil Aviation Security Program.
- (g) An Aerodrome Operator shall ensure coordination of landside security measures between relevant departments, agencies, and other entities, and identify appropriate responsibilities.

29.240 SUPPORT FROM MEMBERS OF THE ROYAL BAHAMAS POLICE FORCE

- (a) At each aerodrome specified by the Authority, members of the Royal Bahamas Police Force shall be deployed in support of the aerodrome security personnel to provide an armed response capability to prevent the occurrence of acts of unlawful interference.
- (b) The deployment of these members of the police will be in accordance with the measures described in the appropriate Aerodrome Security Program.

29.245 REQUIREMENT FOR SCREENING

- (a) Every person entering a sterile area, or enhanced security restricted area, at any aerodrome to which the requirements of this Schedule apply, as specified within the appropriate Aerodrome Security Program, is required to be screened, including any carry-on baggage, goods or other articles in their possession.
- (b) An organisation approved by the Authority to carry out screening functions must ensure that any person who acts or will act as a screening officer for it or on its behalf meets the minimum standards set out in the National Civil Aviation Security Program.
- (c) An organisation approved by the Authority to carry out screening functions must not permit a screening officer to conduct an authorised search for it or on its behalf unless the screening officer meets the minimum standards set out in the National Civil Aviation Security Program.
- (d) An air carrier shall not transport a person or goods that should be screened in accordance with paragraph (a), unless the person or goods have been screened in accordance with the requirements of this Schedule.

- (e) A person who must be screened under paragraph (a) must not circumvent a screening of their person or goods or other things in their possession or under their control or a vehicle under their care or control;
- (f) Any person who assists another person who must be screened under paragraph (a) to circumvent the screening of that person or goods or other things in that person's possession or control or a vehicle under that person's care or control commits an offence.
- (g) A person who is at an aerodrome or on board an aircraft shall not falsely declare that;
 - (1) they are carrying a weapon, an explosive substance, an incendiary device or other dangerous item that could be used to jeopardize the security of an aerodrome or aircraft or that such an item is contained in goods or other things in their possession or control or in a vehicle under their care or control that they have tendered or are tendering for screening or transportation; or
 - (2) another person who is at the aerodrome or on board an aircraft is carrying a weapon, an explosive substance, an incendiary device or other dangerous item that could be used to jeopardize the security of an aerodrome or aircraft or that such an item is contained in goods or other things in that person's possession or control or in a vehicle under their care or control and is being tendered or has been tendered for screening or transportation.
- (h) Notwithstanding paragraph (a), the Authority may, in writing, exempt such persons as he deems appropriate from the requirements to be screened. Any exemption made under this provision shall be issued as a Security Directive.

29.250 RECORDS

- (a) An aerodrome operator shall ensure that a record is kept of every security incident at his aerodrome.
- (b) A record required to be kept under paragraph (a), shall—
 - (1) be kept for a minimum of 90 days;
 - (2) be made available to the Authority; and
 - (3) include the number—
 - (i) and type of weapons and incendiary devices discovered during any passenger screening process and the method of detection of each;
 - (ii) of acts and attempted acts of air piracy;
 - (iii) of bomb threats received, real and simulated bombs found and actual bombings at the aerodrome; and
 - (iv) of detentions and arrests.

29.255 AERODROME TENANT & TENANT RESTRICTED AREA OPERATOR RESPONSIBILITY

- (a) An aerodrome tenant restricted area operator, and any other tenants at designated aerodromes, shall develop security measures to manage access to the tenant restricted area, or other area, under his control in compliance with the Tenant Restricted Area Security Program submitted for approval under Section 29.175, or the Aerodrome Security Program under Section 29.125.
- (b) An aerodrome Tenant Restricted Area operator, or other tenant, shall ensure that his personnel receive appropriate aerodrome security training or security awareness training as appropriate, in accordance with the approved Tenant Restricted Area Security Program or Aerodrome Security Program.
- (c) An aerodrome Tenant Restricted Area operator, or other tenant, shall not use a person as an aviation security officer unless the employment of such person has been approved by the aerodrome operator.

29.260 ACCESS CONTROL SYSTEM

- (a) An aerodrome operator shall ensure that the location and function of restricted areas, enhanced security restricted areas and sterile areas at the aerodrome are designated and properly defined in the appropriate Airport (Restricted Area) Directives.

- (b) The level of access to a restricted area, enhanced security restricted area or sterile area shall be clearly defined and made known to all persons at the aerodrome whose duties require them to have access to these areas.
- (c) An aerodrome operator shall include in his approved Aerodrome Operator Security Program details of a system, method and procedure, which shall ensure that—
 - (1) access points into restricted areas, enhanced security restricted areas or sterile areas are limited in number and physical access through those points are strictly controlled;
 - (2) entry points which cannot be effectively controlled are locked or otherwise secured against entry by unauthorised persons;
 - (3) access by persons and vehicles to restricted areas, enhanced security restricted areas and sterile areas is restricted only to persons who have a clear need for such access by virtue of their duties;
 - (4) enhanced security restricted areas and sterile areas not subject to continual access control measures shall be subjected to a thorough search prior to being brought into use;
 - (5) a person whose duties require him to be at the aerodrome is required to have on display on his person, a valid aerodrome identification permit and any baggage or item he carries shall be screened before being allowed access to enhanced security restricted areas or sterile areas;
 - (6) the screening under paragraph (e) shall be to the same standard as that required for passengers, under Section 29.245; and
 - (7) persons at an aerodrome are aware of what areas they are prohibited access to.
- (d) Notwithstanding the screening requirements under paragraph (c)(5), the Authority may consider screening at certain access points on a random basis depending on the assessed risk where details of such risks are included in an approved Aerodrome Operator Security Program.
- (e) The system under paragraph (c), shall provide a means to differentiate the various airport restricted areas that holders of airport restricted area permits are allowed access to.
- (f) The system under paragraph (c), shall describe the scope of initial and periodic background checks conducted on applicants for all types of airport restricted area permits issued.

29.265 AIRPORT RESTRICTED AREA PERMIT SYSTEM

- (a) An aerodrome operator shall ensure that access to a restricted area, enhanced security restricted area or sterile area of its aerodrome is controlled by the use of an airport restricted area permit system to identify persons and vehicles and facilitate access where authorised.
- (b) Notwithstanding the provisions under paragraph (a), the airport restricted area permit system shall be in accordance with the appropriate Airport (Restricted Area) Directives.

29.270 EVIDENCE OF COMPLIANCE

- (a) An Aerodrome Operator shall provide evidence of compliance with this Schedule in his approved Aerodrome Operator Security Program.

29.275 AERODROME SECURITY MANAGER

- (a) An aerodrome operator shall designate, in his approved Aerodrome Operator Security Program, an officer in his organisation as the Aerodrome Security Manager, who shall be held responsible for the coordination of all aviation security policies, procedures and preventive measures applied at a designated airport.
- (b) An Aerodrome Security Manager shall serve as the primary contact of the aerodrome operator for security-related activities and communications with the Authority, as set forth in the approved Aerodrome Operator Security Program.

29.280 MEASURES IN THE EVENT OF SPECIFIC THREAT AT AERODROMES

- (a) Where an aerodrome operator determines that a specific threat that jeopardizes the security of his aerodrome exists, he shall immediately take all of the measures necessary to ensure the safety of the aerodrome and persons at the aerodrome, including informing the appropriate aviation security officers and/or aviation security screening officers of the nature of the threat.

29.285 NOTIFICATION OF THREAT

- (a) An aerodrome operator who is made aware of a threat against an airport facility or any part of his aerodrome, or tenant restricted area that is under the control of a person carrying on any activity at or connected with his aerodrome, other than the aerodrome operator, he shall immediately—
 - (1) notify the person in control of that facility or Tenant Restricted Area of the nature of the threat; and
 - (2) determine whether there is a specific threat that jeopardizes the security of the aerodrome.
- (b) Where a person authorised to conduct any screening activity at an aerodrome is made aware of a threat against the aerodrome, such person shall—
 - (1) immediately notify the aerodrome operator of the nature of the threat; and
 - (2) assist the aerodrome operator in determining whether there is a specific threat that jeopardizes the security of the aerodrome.

29.290 DISCOVERY OF WEAPONS, PROHIBITED ITEMS, INCENDIARY DEVICES OR EXPLOSIVES AT AERODROMES

- (a) An aerodrome operator shall immediately notify the Authority when there is—
 - (1) the discovery, at the aerodrome, of a weapon, other than an unloaded firearm allowed under Sections 29.085(a) (1) or 29.320(f);
 - (2) the discovery, at the aerodrome, of a prohibited item, as listed in Appendix 1 to 29.045;
 - (3) the discovery, at the aerodrome, of an explosive substance or an incendiary device, other than an explosive substance or incendiary device allowed under the Act or the requirements of this Schedule;
 - (4) an explosion at the aerodrome, unless the explosion is known to be the result of an excavation, a demolition, construction or the use of fireworks displays; or
 - (5) a specific threat against the aerodrome.

29.295 AERODROME OPERATOR TO KEEP MAPS & PLANS OF AERODROME

- (a) An aerodrome operator shall keep at the aerodrome a certified copy of a current scale map and plan, certified by the Authority, of the aerodrome and buildings located at that aerodrome, that identifies the restricted areas, enhanced security restricted areas and sterile areas, security barriers and restricted area access points, enhanced security restricted area access points, and sterile area access points. This map and/or plan is to be produced in accordance with the appropriate Airport (Restricted Area) Directives.

29.300 AERODROME OPERATOR TO PROVIDE INFORMATION

- (a) The aerodrome operator shall provide to the Authority, on reasonable notice given by the Authority, written or electronic records or other information relevant to the security of the aerodrome, including—
 - (1) information concerning the method of implementing the security measures that apply to the aerodrome operator under Section 29.110(a); and
 - (2) a copy of the scale map and plan referred to in Section 29.295.
- (b) An aerodrome operator shall provide the Authority with written notice of any new commercial air transportation service that is to commence operations at the airport terminal building.

SUBPART F: AIRCRAFT OPERATOR SECURITY

29.305 AIRCRAFT OPERATOR SECURITY PROGRAM

- (a) An aircraft operator having an approved Aircraft Operator Security Program shall—
- (1) maintain one complete copy of his approved Aircraft Operator Security Program at his principal business office;
 - (2) maintain a complete copy or the pertinent portions of his approved Aircraft Operator Security Program at each designated aerodrome where security screening is being conducted;
 - (3) make the documents under paragraphs (a) and (b), available for inspection upon request by the Authority; and
 - (4) restrict the distribution, disclosure, and availability of sensitive security information to persons who by their defined roles in the program require such information for the performance of their function.

29.310 SCREENING OF PASSENGERS & PROPERTY

- (a) An aircraft operator shall ensure that at designated aerodromes screening is conducted of—
- (1) passengers, transit passengers, transfer passengers and crew travelling on the aircraft;
 - (2) carry-on baggage of persons under paragraph (a);
 - (3) checked baggage of persons under paragraph (a); and
 - (4) other goods in the hold of his aircraft.
- (b) Notwithstanding paragraph (a), an aircraft operator may authorise the aerodrome operator of the aerodrome from which he operates or any other person to conduct the screening functions set out in his approved Aircraft Operator Security Program.
- (c) In giving an authorisation to an aerodrome operator or any other person under paragraph (b), the aircraft operator shall further instruct such aerodrome operator or person, to prohibit any passenger refusing to be screened from access to any of his aircraft.
- (d) An aircraft operator or person authorised by him under paragraph (b) shall use the procedures and the facilities and equipment described in his Aircraft Operator Security Program—
- (1) to prevent or deter the carriage of any weapon, prohibited item or incendiary device on or about the person of an individual or accessible property and the carriage of any weapon or incendiary device in checked baggage on aircraft;
 - (2) to detect the existence of a weapon, prohibited item or incendiary device, to inspect each person entering a sterile area at each pre-boarding screening check point and to inspect all accessible property under the control of such person; and
 - (3) to perform the following control functions with respect to each aircraft operation for which screening is required—
 - (i) prohibit unauthorised access to the aircraft;
 - (ii) ensure that baggage carried in the aircraft is checked-in by a properly trained agent and that identification is obtained from all passengers and persons shipping goods or cargo on board the aircraft;
 - (iii) ensure that cargo and checked baggage carried on board the aircraft are handled in a manner that prohibits unauthorised access; and
 - (iv) conduct a security inspection of the aircraft before placing the aircraft in service and after the aircraft has been left unattended.
- (e) An aircraft operator shall refuse to transport—
- (1) any person who does not consent to an authorised search of his person when required to do so by the aircraft operator or person authorised to conduct such searches on his behalf; and

- (2) any property of any person who does not consent to a search or inspection of that property in accordance with the screening system prescribed by paragraph (a).
- (f) A foreign aircraft operator shall not undertake a flight with a passenger on board who refuses to submit to screening, required under this Schedule or while the carry on or checked baggage of such person is on board his aircraft.
- (g) Notwithstanding being in possession of a boarding pass, where the pilot in command of an aircraft has reasonable grounds to believe that a person is in violation of the requirements of this Schedule, the pilot in command may order that person to disembark from such aircraft.

29.315 PREVENTION & MANAGEMENT OF HIJACKINGS & SABOTAGE ATTEMPTS

- (a) An aircraft operator shall—
 - (1) assign an appropriately qualified and trained person as a Ground Security Coordinator to co-ordinate the ground security duties specified in his approved Aircraft Operator Security Program; and
 - (2) designate the pilot in command as the In-flight Security Coordinator for each flight, as required by his approved Aircraft Operator Security Program to co-ordinate activities in response to threats of acts of unlawful interference.
- (b) An aircraft operator shall, where directed by the Authority, permit and facilitate the carriage of in-flight security officers on specific flights to prevent—
 - (1) unauthorised persons from gaining access to the flight deck; and
 - (2) hijackings and other criminal acts on board the aircraft.
- (c) In-flight Security Officers under this Section, where required to be on board a flight, shall—
 - (1) prevent unauthorised persons from gaining access to the flight deck and prevent hijackings and other criminal acts on board the aircraft; and
 - (2) conduct a crew briefing prior to departure to ensure the flight crew and cabin crew understand his role on board the aircraft.

29.320 CARRIAGE OF WEAPONS

- (a) An aircraft operator shall not permit any person, who is not authorised, to have on or about his person or property, a weapon or other prohibited item, either concealed or unconcealed, accessible to him while on board an aircraft.
- (b) Paragraph (a) shall not apply to in-flight security officers required to be on board under Section 29.315.
- (c) A person shall not, without authority, while on board an aircraft operated by an aircraft operator, carry on or about his person, a weapon or other prohibited item, either concealed or unconcealed.
- (d) An aircraft operator shall not knowingly permit any person to transport, nor shall any person transport or tender for transport, a weapon, incendiary device or loaded firearm in checked baggage on board an aircraft without proper authorisation.
- (e) For the purpose of this Schedule, “a loaded firearm” means a firearm, which has inserted in it a live round of ammunition, cartridge, in the chamber or in a clip, magazine or cylinder.
- (f) An aircraft operator shall not knowingly permit any person to transport, nor may any person transport or tender for transport, any unloaded firearm in checked baggage on board an aircraft unless—
 - (1) such person declares to the aircraft operator, either orally or in writing before tendering the baggage for the purpose of being checked in that he has a firearm carried in his checked baggage and it is unloaded;
 - (2) the baggage or container in which a firearm is carried is locked;
 - (3) the checked baggage or container containing the firearm is loaded on the aircraft in an area that is inaccessible to passengers; and

- (4) such person presents a licence for such firearm from the State that permits him to have in his possession such firearm, an export licence for such firearm from the State of departure and an import licence for such firearm to the State of destination.
- (g) Where a firearm to be transported in checked baggage but is not secured in such checked baggage it shall be carried in the hold of the aircraft, in a container that the aircraft operator considers appropriate for air transportation.

29.325 USE OF SCREENING EQUIPMENT

- (a) An aerodrome operator, aircraft operator or person authorised to conduct screening on his behalf, shall not use any screening equipment systems to inspect carry-on or checked baggage unless the use of the said equipment has been approved by the Authority.
- (b) An aerodrome operator, aircraft operator, or any other person authorised to conduct screening on his behalf, may be authorised by the Authority, to use X-ray systems for inspecting carry-on or checked baggage under an approved Aircraft Operator Security Program, or Aerodrome Security Program where he shows that—
 - (1) the X-ray system complies with the standards for X-ray systems designed primarily for the inspection of carry-on and checked baggage and meets the performance requirements set out by the Authority in the National Civil Aviation Security Program;
 - (2) a program for initial and recurrent training of operators of the system is established, which includes training in radiation safety, the efficient use of X-ray systems, and the identification of weapons and other dangerous articles, as prescribed in the National Aviation Security Training Program; and
 - (3) the system meets the imaging requirements described in the approved Aircraft Operator Security Program, or Aerodrome Security Program in accordance with the combined test requirements prescribed by the Authority.
- (c) An aerodrome operator, aircraft operator, or any other person authorised to conduct screening on his behalf, shall ensure that an X-ray system is not used—
 - (1) unless within the preceding twelve months, a test has been conducted which shows that the system meets the applicable performance standards or guidelines prescribed by the Authority;
 - (2) after the system is initially installed or after it has been moved from one location to another, a test has been conducted which shows that the system meets the applicable performance standards or guidelines prescribed by the Authority; and
- (d) An aerodrome operator, aircraft operator, or any other person authorised to conduct screening on his behalf, shall maintain at least one copy of the results of the most recent test conducted under paragraph (c) and shall make it available for inspection upon request by the Authority at each of the following locations—
 - (1) the principal business office of the organisation conducting the screening; and
 - (2) the place where the X-ray system is in operation.
- (e) An aerodrome operator, aircraft operator, or any other person authorised to conduct screening on his behalf, shall ensure that screening staff comply with X-ray operator duty time limitations specified in his Aircraft Operator Security Program, or Aerodrome Security Program.

29.330 SECURITY THREATS & PROCEDURES

- (a) Where an aircraft operator determines that there is a specific threat which jeopardizes the security of an aircraft or flight, he shall immediately take all of the measures necessary to ensure the safety of the aircraft, passengers and crew on board such aircraft, including—
 - (1) informing the pilot in command, the crew members assigned to the aircraft or flight, the aerodrome operator and the appropriate Police agency of the nature of the threat;

- (2) where the aircraft is on the ground, moving such aircraft to a place of safety at the aerodrome according to the directions of the aerodrome operator; and
 - (3) the inspection of the aircraft and search of the passengers and goods on board such aircraft, unless the inspection and search are likely to jeopardize the safety of the passengers and crew members.
- (b) Where the aircraft, under paragraph (a), is on the ground, the pilot in command shall comply with any direction given by the aerodrome operator, or a member of the appropriate Police agency, unless complying with such direction is likely to jeopardize the safety of the passengers and crew members.
 - (c) Immediately upon receiving information that an act or suspected act of unlawful interference has been committed, the aircraft operator shall notify the Authority.
 - (d) Where an aircraft operator determines that there is a specific threat which jeopardizes the security of a facility, a tenant restricted area, or part of an aerodrome under his control, he shall immediately take all of the measures necessary to ensure the safety of the facility, tenant restricted area or part of the aerodrome and persons at the facility, tenant restricted area or aerodrome, including informing the aerodrome operator and the appropriate Police agency of such threat.
 - (e) Where the aircraft under paragraph (c), is in the airspace under the jurisdiction of a State other than The Bahamas the aircraft operator shall also notify the Appropriate Authority of the State in whose territory the aircraft is located and, if the aircraft is in flight, the Appropriate Authority of the State in whose territory the aircraft is to land.
 - (f) Upon receipt of a bomb threat against a specific aircraft, each aircraft operator shall attempt to determine whether or not any explosive or incendiary device is aboard the aircraft involved by doing the following—
 - (1) conduct an analysis of the threat and classify the threat as—
 - (i) a hoax;
 - (ii) non-specific; or
 - (iii) specific;
 - (2) in cases of (ii) and (iii), consider conducting a security inspection on the ground before the next flight or, where the aircraft is in flight, immediately after its next landing; and
 - (3) where the aircraft is on the ground, advising the pilot in command of the results of the analysis and the proposed action to be taken; or
 - (4) where the aircraft is in flight, immediately advising the pilot in command of all pertinent information available so that necessary emergency action can be taken.
 - (g) Where the aircraft is in flight, ensure the pilot-in-command notifies the appropriate air traffic control authority of the threat.

29.335 REPORTING OF SECURITY INCIDENTS

- (a) An aircraft operator shall immediately notify the Authority when there is—
 - (1) a hijacking or attempted hijacking of an aircraft;
 - (2) the discovery, on board an aircraft, of a weapon, other than an unloaded firearm allowed under Sections 29.085(a) or 29.320;
 - (3) the discovery, on board an aircraft, of an explosive substance or an incendiary device, other than an explosive substance or incendiary device allowed on board the aircraft under the Act or the requirements of this Schedule;
 - (4) an explosion on an aircraft; or
 - (5) a specific threat against an aircraft, a flight or a facility or part of an aerodrome under its control.
- (b) An aircraft operator shall immediately notify the aerodrome operator when a weapon other than a firearm allowed under Sections 29.085(a) or 29.320 is detected in any part of the aerodrome under its control.

29.340 PERSON AUTHORISED TO CONDUCT SCREENING ACTIVITIES

- (a) A person authorised to conduct screening activities shall immediately notify the appropriate aircraft operator, aerodrome operator, The Royal Bahamas Police Force and the Authority when any of the following is detected at a restricted area access point where screening is conducted of persons and carry-on baggage and other articles in the possession or control of persons who are screened—
- (1) a weapon, other than a weapon allowed under Sections 29.085(a) or 29.320;
 - (2) any other prohibited items, as specified in Appendix 1 to 29.045;
 - (3) an explosive substance, other than—
 - (i) ammunition carried by a person allowed to carry or have access to a weapon or firearm under Sections 29.085(a) or 29.320; or
 - (ii) an explosive substance allowed under the Act or the requirements of this Schedule; or
 - (4) an incendiary device, other than an incendiary device allowed under the Act or the requirements of this Schedule.
- (b) A person authorised to conduct screening activities shall immediately notify the appropriate aircraft operator, the aerodrome operator, the appropriate Police agency and the Authority when any of the following is detected in checked baggage—
- (1) a loaded firearm;
 - (2) any other prohibited item;
 - (3) an explosive substance, other than ammunition; or
 - (4) an incendiary device.

29.345 SECURITY INFORMATION

- (a) An aircraft operator shall where the Authority provides reasonable notice, provide the Authority, with a written or electronic record or other information relevant to the security of his operations, including—
- (1) information concerning the method of implementing the security measures that apply to the aircraft operator under Section 29.110(b); and
 - (2) a description of the nature of operations related to a particular flight and the services provided in respect of the flight.

29.350 PROVISION OF INFORMATION BY SERVICE PROVIDERS

- (a) A person who provide services to an aircraft operator and a person, who provides a service related to the transportation of goods by air, shall provide to the Authority, on reasonable notice given by the Authority, written or electronic records or other information relevant to the security of the operations of the aircraft operator, including—
- (1) information concerning the method of implementing the security measures that apply to those persons under Section 29.110(b); and
 - (2) a description of the nature of the operations related to a particular flight and the services provided in respect of the flight.

29.355 PROVISION OF INFORMATION TO THE APPROPRIATE AUTHORITY ON THE SECURITY OF OPERATIONS BY SCREENING PERSONNEL

- (a) A person authorised to perform screening on behalf of an aircraft operator shall provide to the Authority, on reasonable notice given by the Authority, written or electronic records or other information relevant to the security of his screening operations, including—
- (1) information concerning the method of implementing the security measures that apply to it under Section 29.110(b); and
 - (2) a description of the nature of the screening operations related to a particular flight or at a particular aerodrome.

29.360 USE OF EXPLOSIVES DETECTION SYSTEMS

- (a) Where required by the Authority, an aerodrome operator, aircraft operator, or any other person acting on his behalf, required to conduct screening under a security program shall use an explosive detection system that has been approved by the Authority to screen persons, checked baggage and carry-on baggage in accordance with his Aircraft Operator Security Program, or Aerodrome Security Program.

29.365 CARRIAGE OF PASSENGERS UNDER ADMINISTRATIVE OR JUDICIAL CONTROL

- (a) An aircraft operator, when required to carry a passenger who is the subject of judicial or administrative proceedings, shall only do so once appropriate security controls have been applied to the passenger in question, including notification to the pilot-in-command.
- (b) An aircraft operator shall ensure that prior to departure—
 - (1) the aircraft is equipped with adequate restraining devices to be used in the event restraint of any passenger becomes necessary;
 - (2) each passenger travelling under paragraph (a), has been searched and does not have on or about his person or property anything that can be used as a weapon; and
 - (3) each passenger travelling under paragraph (a), whether under the control of an escort officer or not, in accordance with this Schedule, is—
 - (i) boarded before any other passengers when boarding at the aerodrome from which the flight originates and deplaned at the destination after all other deplaning passengers have deplaned;
 - (ii) seated in the rear-most passenger seat when boarding at the aerodrome from which the flight originates; and
 - (iii) seated in a seat that is not located close to or directly across from any exit.
- (c) An aircraft operator operating an aircraft under paragraph (a), shall not—
 - (1) serve food, beverage, or provide eating utensils made of metal to a passenger under such judicial or administrative proceedings while on board such aircraft unless authorised to do so; or
 - (2) serve any escort officer, or the passenger under the control of the escort officer, any alcoholic beverages while on board such aircraft.
- (d) In cases where an escort officer is also carried under the provisions of paragraph (a), the escort officer shall, at all times, accompany the passenger under his control and keep the passenger under surveillance while on board the aircraft including visits to the lavatory.
- (e) The requirements of this Section shall not apply to the carriage of passengers under voluntary protective escort.

29.370 TRAINING

- (a) An aircraft operator shall not use any person as a Security Coordinator unless, within the preceding 12 months, such person has satisfactorily completed the required security training specified in his approved Aircraft Operator Security Program and required by the National Civil Aviation Security Training Program.
- (b) An aircraft operator shall not use any person as a crew member on any domestic or international flight unless within the preceding 12 months that person has satisfactorily completed the security training as specified in his approved Aircraft Operator Security Program and the National Civil Aviation Security Training Program.

29.375 STANDARDS FOR SECURITY OVERSIGHT

- (a) An aircraft operator, or aerodrome operator, shall ensure that—
 - (1) a person authorised to perform a security related function on his behalf has knowledge of—
 - (i) the provisions of this Schedule, applicable security directives and information circulars issued by the Authority; and

- (ii) elements of the approved Aircraft Operator Security Program or Aerodrome Operator Security Program required for the performance of his functions;
- (2) the Security Coordinator of the aircraft operator, or aerodrome operator at each aerodrome—
 - (i) reviews daily all security-related functions for effectiveness and compliance with—
 - (A) the requirements of this Schedule;
 - (B) the approved Aircraft Operator Security Program or Aerodrome Operator Security Program; and
 - (C) applicable security directives; and
 - (ii) immediately initiates corrective action for each instance of non-compliance with—
 - (A) the requirements of this Schedule;
 - (B) the approved Aircraft Operator Security Program or Aerodrome Operator security Program; and
 - (C) applicable security directives.
- (b) The requirements prescribed under paragraph (a), shall apply to all security-related functions performed for the aircraft operator, or aerodrome operator, whether by the operators employee or the employee of a contractor.
- (c) An aircraft operator, or aerodrome operator, shall not use any person to perform any required screening function, unless such person has—
 - (1) a combination of education and experience, which the Authority has determined is necessary for the person to perform his duties and as stipulated in the National Aviation Security Training Program and National Aviation Security Quality Control Program;
 - (2) the following basic aptitudes and physical abilities—
 - (i) the ability to distinguish on the X-ray monitor the appropriate imaging standard specified in his national aircraft operator security program, or aerodrome security program including the perception of colours where displayed by the X-ray system;
 - (ii) the ability to distinguish each colour displayed on every type of screening equipment and explain what each colour signifies;
 - (iii) the ability to hear and respond to the spoken voice and to audible alarms generated by screening equipment in an active check point environment;
 - (iv) the ability to efficiently and thoroughly manipulate and handle such baggage, containers, and other objects subject to security processing; and
 - (v) (the ability to have sufficient dexterity and capability to conduct partial and full body searches or hand held metal detector searches in accordance with the guidelines prescribed by Authority;
 - (3) the ability to read, write, and speak the English Language well enough to—
 - (i) carry out written and oral instructions in the English Language regarding the proper performance of screening duties;
 - (ii) read English Language airport restricted area permits, credentials, airline tickets, and labels on items normally encountered in the screening process;
 - (iii) provide direction to and understand and answer questions from English-speaking persons undergoing screening; and
 - (iv) write incident reports and statements and log entries into security records in the English Language; and
 - (4) satisfactorily completed all initial, recurrent, and appropriate specialized aviation security training required by the Aircraft Operator Security Program, Aerodrome Operator Security Program and the National Aviation Security Training Program.
- (d) An aircraft operator, or aerodrome operator, shall not use a person to perform a screening function after that person has failed an operational test related to that function, until such person has successfully

completed the remedial training specified in his Aircraft Operator Security Program, or Aerodrome Security Program, and has passed a re-test related to that function.

- (e) An aircraft operator, or aerodrome operator shall ensure that a Security Coordinator conducts and documents an annual evaluation of each person assigned screening duties and may continue the employment of that person in a screening capacity only upon the determination by that Security Coordinator that the person—
 - (1) has not suffered a significant diminution of any physical ability required to perform a screening function since the last evaluation of those abilities;
 - (2) has a satisfactory record of performance and attention to duty; and
 - (3) demonstrates the current knowledge and skills necessary to courteously, vigilantly, and effectively perform screening functions.
- (f) Paragraphs (a) through (e), shall not apply to those aviation security screening functions conducted outside The Bahamas over which the aircraft operator does not have operational control.
- (g) At locations outside The Bahamas where the national aircraft operator has operational control over a screening function, he may use aviation security screeners who do not meet the requirements of paragraph (c)(3), provided that at least one of his representatives who has the ability to functionally read and speak the English language is present while the passengers of the aircraft operator are undergoing security processing.

SUBPART G: CARGO & REGULATED AGENT SECURITY

29.380 SECURITY CONTROLS OVER CARGO

- (a) No aircraft operator shall accept consignments of cargo, courier and express parcels or mail for carriage on passenger flights and cargo flights unless the security of such consignments is accounted for by a regulated agent that is approved by the Authority, or such consignments are subjected to other security controls, that are approved by the Authority, to safeguard such aircraft against an act of unlawful interference.
- (b) The aircraft operator shall ensure that enhanced security measures apply to high-risk cargo and mail to appropriately mitigate the threats associated with it.
- (c) The aircraft operator shall ensure that cargo and mail that has been confirmed and accounted for shall then be issued with a security status which shall accompany, either in an electronic format or in writing, the cargo and mail throughout the security supply chain.
- (d) The aircraft operator shall 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 its territory.

29.385 AVIATION SECURITY RESPONSIBILITIES OF A REGULATED AGENT

- (a) A regulated agent prior to accepting goods for transport in an aircraft shall carry out such security controls as are specified in his approved Regulated Agent Security Program.
- (b) An approved regulated agent who offers goods to an aircraft operator for transport by aircraft shall produce and make available to the aircraft operator, and the Authority on demand, shipping documents, records of goods accepted and offered for air transport, employee training records, airway bills and valid consignment security declarations.

29.390 RESPONSIBILITY OF THE AIRCRAFT OPERATOR RECEIVING GOODS FROM A REGULATED AGENT

- (a) An aircraft operator accepting goods for transport on his aircraft—

- (1) may conduct screening of such shipments of goods; and
- (2) shall ensure—
 - (i) the safeguarding of such goods against unlawful interference until such goods have been placed in the aircraft;
 - (ii) that his shipments of goods are recorded; and
 - (iii) that whenever the goods are received from an approved regulated agent such goods are delivered by an authorised employee of such regulated agent.
- (b) An aircraft operator shall not accept any goods for transport by aircraft unless the documentation for such goods is examined for inconsistencies and is accompanied by a valid consignment security declaration.
- (c) An aircraft operator shall not accept any goods, from a regulated agent, for transport by aircraft unless that regulated agent is an accepted and accredited regulated agent as determined by the Authority.
- (d) An aircraft operator shall provide an approved regulated agent with all the necessary information in order that he is able to comply with the Technical Instructions.
- (e) An aircraft operator shall make available to the Authority a report of any incident where an airway bill or equivalent document did not provide an accurate record of the goods being offered for air transport.
- (f) An aircraft operator, except as provided in the Technical Instructions, shall not place in an aircraft any goods that are not acceptable.

29.395 INSPECTION OF GOODS OFFERED FOR TRANSPORT BY REGULATED AGENT

- (a) An aircraft operator may inspect any goods or any package, or container having goods offered for transport by air by a regulated agent.
- (b) Where an inspection is conducted pursuant to paragraph (a), a regulated agent or a representative of the regulated agent may observe the inspection.
- (c) In the absence of a regulated agent, or a representative of a regulated agent, an aircraft operator may use such force as is necessary to access the contents of any package or container containing goods offered for transport by air by such regulated agent, representative of a regulated agent or aircraft operator.
- (d) Where an inspection is conducted by an aircraft operator pursuant to paragraph (a), the package, container or goods shall remain in possession of the aircraft operator until the inspection is complete.
- (e) Where an inspection of goods under the requirements of this Schedule provides evidence of a breach of this Schedule, the aircraft operator shall maintain possession of the goods offered for air transport by a regulated agent and the airway bill and inform the Authority in the prescribed form.

29.400 SCREENING OF CARGO

- (a) An aircraft operator accepting goods from a consignor, or any authorised representative of the consignor, that is not a regulated agent approved by the Authority, must conduct screening of those goods to determine that they do not contain any weapons, explosives or other dangerous devices, prior to them being carried on any aircraft.

SUBPART H: FLIGHT CATERING OPERATOR SECURITY

29.405 AVIATION SECURITY RESPONSIBILITIES OF A FLIGHT CATERING OPERATOR

- (a) A flight catering operator prior to accepting raw materials and equipment for preparation as catering supplies for transport in an aircraft shall follow such procedures as are specified in his Flight Catering Operator Security Program that has been approved by the Authority.
- (b) An approved flight catering operator who offers catering stores and supplies to an aircraft operator for transport by aircraft shall produce and make available to the aircraft operator, and the Authority on demand,

shipping documents, records of raw materials and equipment accepted and catering stores and supplies offered for air transport, employee training records and other accountable catering documents.

29.410 RESPONSIBILITY OF THE AIRCRAFT OPERATOR RECEIVING CATERING STORES & SUPPLIES FROM A FLIGHT CATERING OPERATOR

- (a) An aircraft operator accepting catering stores and supplies for transport on his aircraft from an approved flight catering operator—
 - (1) will ensure that all catering supplies are properly recorded on documentation and are secured through the use of catering seals;
 - (2) may accept the integrity of the catering if he is satisfied the seals and documentation are in order and that the catering shows no signs of being tampered with;
 - (3) may conduct screening of such shipments of catering if the seals and documentation do not match, or if the catering shows any sign of having been tampered with; and
 - (4) shall ensure that whenever the catering supplies and stores are received, such catering supplies and stores are delivered by an authorised employee of such approved flight catering operator.
- (b) An aircraft operator shall not accept any catering supplies and stores for transport by aircraft unless the documentation for such catering supplies and stores is examined for inconsistencies and is accompanied by a valid security declaration.
- (c) An aircraft operator shall not accept any catering supplies and stores, from a flight catering operator, for transport by aircraft unless the flight catering operator is in possession of an approved Flight Catering Operator Security Program, approved by the Authority.
- (d) An aircraft operator shall make available to the Authority a report of any incident where a catering or equivalent document did not provide an accurate record of the catering supplies and stores being offered for air transport.
- (e) An aircraft operator, except as provided in the Technical Instructions, shall not place in an aircraft any catering supplies and stores that are not acceptable.
- (f) An aircraft operator shall preserve for not less than one year any record of acceptance checklists and inspections carried out under this Schedule.

29.415 INSPECTION OF CATERING SUPPLIES

- (a) An aircraft operator may inspect any catering supplies and stores or any package, or container having catering supplies and stores offered for transport by air by an approved flight catering operator.
- (b) Where an inspection is conducted pursuant to paragraph (a), a flight catering operator or a representative of the flight catering operator may observe the inspection.
- (c) In the absence of a flight catering operator, or a representative of a flight catering operator, an aircraft operator may use such force as is necessary to access the contents of any package or container containing catering supplies and stores offered for transport by air by such flight catering operator, or representative of a flight catering operator.
- (d) Where an inspection is conducted by an aircraft operator pursuant to paragraph (c), the package, container or catering supplies and stores shall remain in the possession of the aircraft operator until after the inspection is complete.
- (e) Where an inspection of catering supplies and stores under the requirements of this Schedule provides evidence of a breach of this Schedule, the aircraft operator shall maintain possession of the catering supplies and documentation and inform the Authority in the prescribed form.

SUBPART I: TENANT RESTRICTED AREA SECURITY

29.420 TENANT RESTRICTED AREA REQUIREMENTS

- (a) A Tenant Restricted Area operator at, or in connection with, any designated aerodrome, will take such measures as required by the Airport Authority to protect his Tenant Restricted Area, and the aerodrome associated with the Tenant Restricted Area, to prevent weapons, explosives or any other dangerous devices which may be used to commit an act of unlawful interference, the carriage or bearing of which is not authorised, from being introduced, by any means whatsoever, on board an aircraft engaged in civil aviation.
- (b) In carrying out the requirements under paragraph (a), a Tenant Restricted Area operator will comply with Sections 29.110 and 29.175 of this Schedule, the Airport (Restricted Area) Directives in force, and the terms and conditions of his approved Tenant Restricted Area Operator Security Program.

SUBPART J: AVIATION SERVICE PROVIDER SECURITY

29.425 AVIATION SERVICE PROVIDER REQUIREMENTS

- (a) An Aviation Service Provider contracted to operate at, or in connection with, any designated aerodrome or aviation operator, will take such measures as required by the Airport Authority, aircraft operator or the contracting aviation operator to protect his aircraft, facilities, equipment, functions and the aerodrome that the Aviation Service Provider operates, to prevent weapons, explosives or any other dangerous devices which may be used to commit an act of unlawful interference, the carriage or bearing of which is not authorised, from being introduced, by any means whatsoever, to the aerodrome, facility or on board an aircraft engaged in civil aviation.
- (b) In carrying out the requirements under paragraph (a), an Aviation Service Provider will comply with Sections 29.110 and 29.185 of this Schedule, any Airport (Restricted Area) Directives in force, and the terms and conditions of his approved Aviation Service Provider Security Program.

29.430 TRAINING FOR AVIATION SERVICE PROVIDER PERSONNEL

- (a) An Aviation Service Provider shall not use any person to perform any security function, unless such person has satisfactorily completed the required security training specified in his approved Aviation Service Provider Security Program and required by the National Civil Aviation Security Training Program.

29.435 SECURITY OVERSIGHT OF AVIATION SERVICE PROVIDERS BY OPERATORS

- (a) An aerodrome operator, aircraft operator or any aviation operator, who contracts any service provider shall ensure that the person authorised to perform a security related function on his behalf has knowledge of—
 - (1) the requirements of this Schedule, applicable security directives and information circulars issued by the Authority; and
 - (2) elements of the approved Aerodrome Operator Security Program, Aircraft Operator Security Program or the approved Security Program of the contracting aviation operator, required for the performance of his functions.
- (b) The requirements prescribed under paragraph (a) shall apply to all security-related functions performed for the aerodrome operator, aircraft operator or contracting aviation aerodrome operator, whether by his employee or the employee of a contractor.

SUBPART K: AIR TRAFFIC SERVICE PROVIDER SECURITY

29.440 AIR TRAFFIC SERVICE PROVIDER REQUIREMENTS

- (a) An Air Traffic Service Provider operating a facility, or in connection with, any designated aerodrome, will take such measures to protect the facility or as required by the Airport Authority, to prevent weapons,

explosives or any other dangerous devices which may be used to commit an act of unlawful interference, the carriage or bearing of which is not authorised, from being introduced, by any means whatsoever, to the facility being used to provide air traffic services.

- (b) In carrying out the requirements under paragraph (a), an Air Traffic Service Provider will comply with Sections 29.110 and 29.195 of this Schedule, any Airport (Restricted Area) Directives in force, and the terms and conditions of his approved Air Traffic Service Provider Security Provisions.
- (c) No person may enter a facility housing an air traffic center without displaying the requisite identification at chest level.

29.445 TRAINING FOR AIR TRAFFIC SERVICE PROVIDER SECURITY PERSONNEL

- (a) An Air Traffic Service Provider shall not use any person to perform any security function, unless such person has satisfactorily completed the required security training specified in the contractor's approved Aviation Service Provider Security Program and required by the National Civil Aviation Security Training Program.

29.450 SECURITY OVERSIGHT OF AIR TRAFFIC SERVICE PROVIDER SECURITY PERSONNEL

- (a) An Air Traffic Service Provider who contracts any service provider shall ensure that the person authorised to perform a security related function on his behalf has knowledge of—
 - (1) the requirements of this Schedule, applicable security directives and information circulars issued by the Authority; and
 - (2) elements of the approved Air Traffic Service Provider Security Provisions, required for the performance of his functions.
- (b) The requirements prescribed under paragraph (a), shall apply to all security- related functions performed for the Air Traffic Service Provider, whether by his employee or the employee of a contractor.

SUBPART L: GENERAL AVIATION

29.455 SECURITY CONTROLS

- (a) General aviation aircraft at airports shall not be parked in close proximity to aircraft which are used for commercial flights in order to avoid breach of security measures applied to those aircraft, their baggage, cargo and mail or to other articles that may be carried on-board air transport operator aircraft.
- (b) Provisions to separate screened passengers of commercial flights from occupants of general aviation aircraft shall be implemented, based on the following criteria—
 - (1) at major airports, physical arrangements and/or security controls shall be introduced to prevent mixing of departing and arriving occupants of general aviation aircraft with passengers who have been already security screened;
 - (2) if possible, departing and arriving occupants of general aviation aircraft shall pass through a separate general aviation terminal and, also, when embarking or disembarking on the apron shall either be separated from security screened passengers or be transported in a special bus or car or be under constant surveillance;
 - (3) if no separate terminal is available occupants of general aviation aircraft shall either—
 - (i) pass through a separate part of the terminal building and be escorted or transported by bus or car to and from their aircraft;
 - (ii) be subject to security screening prior to entering the security restricted area if passing through security restricted areas of the terminal building is unavoidable; or
 - (iii) be subject to other security controls achieving the same effect depending on local circumstances.

SUBPART M: QUALITY CONTROL

29.460 OBJECTIVES & CONTENT OF QUALITY CONTROL PROGRAM

- (a) The Quality Control Program shall contain all necessary quality control monitoring measures taken to assess on a regular basis the implementation of the National Civil Aviation Security Program, including the policies on which they are based.
- (b) The Quality Control Program shall be in such form and include such elements as are stipulated in the National Civil Aviation Security Program.

29.465 COMPLIANCE MONITORING

- (a) The implementation of the National Civil Aviation Security Program shall be monitored by the Authority for compliance by all stakeholders.
- (b) Monitoring shall be undertaken in accordance with the approved National Civil Aviation Security Quality Control Program, taking into consideration the threat level, type and nature of the operations, standard of implementation, and other factors and assessments which will demand for more frequent monitoring.
- (c) The management, setting of priorities and organisation of the Quality Control Program shall be undertaken independently from the operational implementation of the measures taken under the National Civil Aviation Security Program.
- (d) The Authority may in writing require any entity or person who—
 - (1) is required to hold an aviation security program;
 - (2) operates, maintains, or services, or does any other act in respect of any aircraft, aeronautical product, aviation related service, air traffic service, or aeronautical procedure; or
 - (3) to undergo, undertake or carry out such inspections and audits and such monitoring as the Authority considers necessary in the interests of civil aviation security.
- (e) The Authority may, in respect of any entity or person described under paragraph (d)(1) or paragraph (d)(2) of paragraph (d) of this Section, carry out such inspections, audits and monitoring as necessary in the interest of civil aviation security.
- (f) For the purpose of any inspection, audit or monitoring carried out in respect of any entity or person under paragraph (e) the Authority may in writing require from such entity or person such information as is considered relevant to the inspection, audit or the monitoring.

29.470 QUALIFICATION CRITERIA FOR SECURITY AUDITORS

- (a) The Authority shall ensure that auditors performing functions on behalf of the Authority shall have appropriate qualifications, which shall include sufficient theoretical and practical experience in the relevant field.
- (b) The auditors shall have—
 - (1) a good understanding of the National Civil Aviation Security Program and how it is applied to the operations being examined;
 - (2) where appropriate, knowledge of the more stringent measures as applicable in the location being examined;
 - (3) a good working knowledge of security technologies and techniques;
 - (4) a knowledge of audit principles, procedures and techniques; and
 - (5) a working knowledge of the operations being examined.

29.475 POWER OF INVESTIGATION

- (a) The Authority may, in writing, require any holder of an approved aviation security program to undergo an investigation conducted by the Authority if the Authority believes, on reasonable grounds, that it is necessary in the interests of civil aviation security, or if the Authority—
 - (1) has reasonable grounds to believe that the holder has failed to comply with any conditions of an aviation security program; or
 - (2) considers that the privileges or duties for which the security program has been approved, are being carried out by the holder in a careless or incompetent manner.
- (b) If the Authority requires a holder of an approved security program to undergo an investigation, the Authority shall—
 - (1) inform the holder, in writing, of the date on which the investigation will begin; and
 - (2) conduct and conclude the investigation as soon as practicable; and
 - (3) inform the holder in writing of the results of the investigation including—
 - (i) any recommendations arising out of the investigation; and
 - (ii) the grounds for those recommendations.

29.480 OBSTRUCTION OF AUTHORISED PERSONS

- (a) In addition to the related requirements of Schedule 1, any person who obstructs or impedes a security auditor or any person who is duly authorised by the Authority and acting in the performance or exercise of any functions, duties, or powers conferred on him or her by this Schedule, commits an offence and is liable;
 - (1) in the case of an individual, to imprisonment for a term not exceeding 6 months or a maximum civil penalty; or
 - (2) in the case of a body corporate, a maximum civil penalty shall apply.
- (b) Paragraph (a) shall apply only where the person obstructed or impeded produces evidence of his or her authority.

29.485 POWER TO SUSPEND SECURITY PROGRAM

- (a) In addition to the related requirements of Schedule 1, the Authority may suspend any aviation security program approved under this Schedule or impose conditions in respect of any such security program if the Authority considers such action necessary in the interest of security, and if the Authority—
 - (1) considers such action necessary to ensure compliance with the requirements of this Schedule;
 - (2) is satisfied that the holder has failed to comply with any conditions of an aviation security program; or
 - (3) considers that the privileges or duties for which the security program has been approved are being carried out by the holder in a careless or incompetent manner.

29.490 GENERAL POWER OF ENTRY

- (a) For the purpose of carrying out the auditor functions, duties, or powers specified in this Schedule and in addition to the related requirements of Schedule 1, a security auditor or any person duly authorised by the Authority shall have right of access at any reasonable time to the following—
 - (1) any aircraft, aerodrome, building, or place; and
 - (2) any document or record concerning any aircraft, aeronautical product, or aviation related service.
- (b) Without limiting the power conferred by paragraph (a) of this Section, a security auditor or any person duly authorised by the Authority who has reasonable grounds to believe that—
 - (1) any breach of the requirements of this Schedule is being or about to be committed;
 - (2) a condition imposed under any civil aviation security program is not being complied with; or
 - (3) a situation exists or is about to exist that constitutes a danger to persons or property,may at any reasonable time enter any aircraft, aerodrome, building, or place, and carry out an inspection.

- (c) A Security auditor or any person who is authorised to have access to or to enter any aircraft, aerodrome, building, or place under paragraph (a) or paragraph (b)—
 - (1) may require any person who is in possession of an aviation security program, or of any certificate, book, manual, record, list, notice, or other document that is required to be kept under the requirements of this Schedule, to produce or surrender it; and
 - (2) must, if a document is surrendered under paragraph (a), inform the relevant aviation document holders orally, as soon as practicable, and in writing that the document has been surrendered.
- (d) Nothing under paragraph (a) or paragraph (b) of this Section shall confer on any person the power to enter any dwelling house, unless the entry is authorised by a warrant given by a judicial officer on written application on oath, which shall not be granted unless the judicial officer is satisfied that the entry is essential to enable the inspection to be carried out.
- (e) Every warrant issued under paragraph (d) of this Section shall be directed to a named person and shall be valid for a period of one month from the date of its issue or such lesser period as the judicial officer considers appropriate; and the period of validity shall be shown in the warrant.
- (f) Every person exercising the power of entry conferred under paragraph (a) or paragraph (b) shall carry a proof of identity and authority, issued by the Authority specifying—
 - (1) the name and the office or offices held by the person; and
 - (2) that the person is authorised by the Authority to exercise the power conferred under paragraphs (a) and (b) to enter aircraft, aerodromes, buildings, and places, and to carry out such inspection.
- (g) Every person exercising the power of entry conferred by paragraph (a) and (b) shall produce credentials or authorisation—
 - (1) if practicable on first entering the aircraft, aerodrome, building, or place; and
 - (2) whenever subsequently reasonably required to do so.

29.495 NOTIFICATION OF AUDITS

- (a) The Authority shall give at least 2 months' notice to the facility operator or service provider that is the subject of a security audit.
- (b) When an aerodrome is to be audited, the Authority shall notify the appropriate airport authority accordingly.
- (c) When giving notice of an audit to the facility operator or service provider being audited, the Authority shall communicate a pre-audit questionnaire, for completion by the facility operator or service provider and a request for the following security documents—
 - (1) where applicable, the approved facility or service provider security program;
 - (2) records, and results of any internal quality assurance audits undertaken;
 - (3) results of any investigations conducted into security incidents since the date of the last audit; and
 - (4) results of previous audits and/or inspections carried out by Authority's security auditors.
- (d) The completed questionnaire and the documents requested shall be submitted to the Authority within four (4) weeks of receipt of the audit notification.

29.500 CONDUCT OF INSPECTIONS & AUDITS

- (a) A standard methodology shall be used to monitor compliance with the requirements laid down in the National Civil Aviation Security Program and relevant facility or service provider security program.
- (b) Facility operators or service providers shall ensure that the security auditors are accompanied at all times during the inspection or audit.
- (c) The Security auditors shall carry credentials authorising inspections and audits on behalf of the Authority and an airport identification card allowing access to all areas required for inspection and audit purposes.

- (d) Tests shall only be performed after advance notification and agreement, in close coordination with the facility operator or service provider, to ensure their security, safety and effectiveness.
- (e) Without prejudice to Section 29.510, the security auditors shall, wherever appropriate and practicable, deliver an informal oral summary of their findings immediately to the facility operator or service provider. In any case, the facility operator or service provider shall be informed promptly of any serious deficiencies identified by an inspection or audit.

29.505 FAILURE TO COMPLY WITH INSPECTION OR AUDIT REQUEST

- (a) In addition to the related requirements of Schedule 1, any person who, without reasonable cause, fails to comply with Section 29.465 commits an offence and is liable—
 - (1) in the case of an individual, a moderate to maximum civil penalty shall apply and, if the offence is a continuing one, to a further fine for every day or part of a day during which the offence is continued; or
 - (2) in the case of a body corporate, a moderate to maximum civil penalty shall apply and, if the offence is a continuing one, to a further fine for every day or part of a day during which the offence is continued.

29.510 INSPECTION OR AUDIT REPORT

- (a) Within 6 weeks of completion of an inspection or audit, an appropriate report shall be communicated by the Authority to the appropriate facility operator or service provider.
- (b) The report shall identify findings established during the inspection or audit and deficiencies. The report may contain recommendations for remedial action.
- (c) When assessing the implementation of the terms of the individual facility operator's, or service provider's approved security program, and the requirements of the national civil aviation security program, the following classifications shall apply—
 - (1) fully compliant;
 - (2) compliant, but improvement desirable;
 - (3) not compliant, with minor deficiencies;
 - (4) not compliant, with serious deficiencies;
 - (5) not applicable; and
 - (6) not confirmed.

29.515 FACILITY OPERATOR OR SERVICE PROVIDER ANSWER

- (a) Within (2) months of the date of dispatch of an inspection or audit report, the facility operator or service provider shall submit in writing to the Authority an answer to the report which—
 - (1) addresses the findings and recommendations;
 - (2) provide an action plan, specifying actions, deadlines and persons responsible, to remedy any identified deficiencies.
- (b) Where the inspection or audit report identifies no deficiencies, no answer shall be required.

APPENDICES

APPENDIX 1 TO 29.045: PROHIBITED ITEMS LIST

- (a) The following articles are prohibited in the cabin of an aircraft and in security restricted areas for security reasons—
- (1) guns, firearms and other devices that discharge projectiles designed to cause serious injury by discharging a projectile, or capable of being mistaken for such devices, including—
 - (i) firearms of all types, including pistols, revolvers, rifles and shotguns;
 - (ii) toy guns, replicas and imitation firearms capable of being mistaken for real weapons;
 - (iii) component parts of firearms, excluding telescopic sights;
 - (iv) compressed air and carbon dioxide guns, including pistols, pellet guns, rifles, and ball bearing guns;
 - (v) signal flare pistols and starter pistols;
 - (vi) bows, crossbows and arrows;
 - (vii) harpoon guns and spear guns; and
 - (viii) slingshots and catapults.
 - (2) stunning devices designed specifically to stun or immobilize, including—
 - (i) devices for shocking, such as stun guns and stun batons;
 - (ii) animal stunners and animal killers; and
 - (iii) disabling and incapacitating chemicals, gases and sprays, such as mace, pepper or capsicum sprays, acid sprays, animal repellent sprays, and tear gas;
 - (3) objects with sharp points or sharp edges capable of being used to cause serious injury, including—
 - (i) items designed for chopping, such as axes, hatchets and cleavers;
 - (ii) ice axes and ice picks;
 - (iii) razor blades and box cutters;
 - (iv) knives with blades of more than 6 cm;
 - (v) scissors with blades of more than 6 cm as measured from the fulcrum;
 - (vi) martial arts equipment with sharp points or sharp edges; and
 - (vii) swords and sabres;
 - (4) workers' tools capable of being used either to cause serious injury or to threaten the safety of aircraft, including—
 - (i) crowbars;
 - (ii) drills and drill bits, including cordless portable power drills;
 - (iii) tools with blades or shafts more than 6 cm capable of use as weapons, such as screwdrivers and chisels;
 - (iv) saws, including cordless portable power saws;
 - (v) blowtorches; and
 - (vi) bolt guns and nail guns;
 - (5) blunt instruments capable of being used to cause serious injury when used to hit, including—
 - (i) baseball and softball bats;
 - (ii) clubs and batons, such as billy clubs, blackjacks and night sticks; and
 - (iii) martial arts equipment;
 - (6) explosives and incendiary substances and devices capable of being used to cause serious injury or threatening the safety of aircraft, including—
 - (i) ammunition;
 - (ii) blasting caps;
 - (iii) detonators and fuses;

- (iv) replica or imitation explosive devices;
 - (v) mines, grenades and other explosive military stores;
 - (vi) pyrotechnics, including fireworks;
 - (vii) smoke-generating canisters or cartridges; and
 - (viii) dynamite, gunpowder and plastic explosives; and
- (7) LAGs as specified in the guidance material for security controls of LAGs.
- (b) Explosive or incendiary substances or devices capable of being used to cause serious injury or threatening the safety of aircraft are prohibited in the hold of an aircraft for safety reasons, including the following (rules granting exemptions under defined circumstances may exist) with the approval of the operator, certain cartridges may be permitted for transport in hold baggage under conditions specified in Part 8, Chapter 1, 1.1.2, of the *Technical Instructions for the Safe Transport of Dangerous Goods by Air* (Doc 9284);
- (1) blasting caps;
 - (2) detonators and fuses;
 - (3) mines, grenades and other explosive military stores;
 - (4) pyrotechnics, including fireworks;
 - (5) smoke-generating canisters or cartridges; and
 - (6) dynamite, gunpowder and plastic explosives.

End of Schedule 29

