



# **CIVIL AVIATION PUBLICATION**

## **SEC 01**

### **AVIATION SECURITY**

**INDEX**



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SEC 01

AVIATION SECURITY

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## CHAPTER 1

### GENERAL

#### 1.1 Applicability

This CAP contains guidance material and requirements regarding aviation security. Wherever the word “shall” appears it must be taken as a directive of the CAA-B under CAR SEC, Chapter 8 and should be included in the applicable security programme to be submitted to the CAA-B.

The provisions and requirements of this CAR apply to;

- (a) operators of international airports in The Bahamas;
- (b) designated domestic airport operators and any other aerodrome operator specified by either the appropriate airport authority or the CAA-B;
- (c) national aircraft operators;
- (d) foreign aircraft operators;
- (e) aerodrome tenants and/or operators of Tenant Restricted Areas at International airports or Designated Domestic airports;
- (f) any person in or within the vicinity of an international airport or designated domestic airport, or any other aerodrome specified by the CAA-B or any air navigation site or any land building installation or areas under the ownership management or control of the CAA-B;
- (g) any person who offers goods for transport by air;
- (h) air traffic service provider;
- (i) any person who provides a service to an air navigation service provider, aircraft operator and airport operator; and
- (j) any person on board an aircraft.

These requirements also apply to any person who engages in an operation governed by any operating regulation without the appropriate aviation document required.

#### 1.2 Directives

Under this CAP the CAA-B has issued security directives and will ensure that take such measures are complied with. Wherever the word “shall” appears in this CAP it must be taken as a directive of the CAA-B under the Civil Aviation Act.

### 1.3 Application for an Exemption from a Security Directive

- (a) A person or entity affected by a specific security directive or the directives contained in this CAP may apply to the CAA-B 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) Application should be made on the appropriate form.
- (c) Upon receipt of such a request, the CAA-B 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 CAA-B
- (d) A decision under paragraph (b) shall be notified to the applicant in writing.

### 1.4 Definitions

For the purpose of this CAP, the following definitions, as well as those in CAR SEC and CAR DEF apply;

#### **Airport**

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

**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 CAA-B, the aviation security requirements of this CAP apply;

**Domestic airport** means any aerodrome, other than an international airport or designated domestic airport, with domestic scheduled, non-scheduled and general aviation traffic.

**Aerodrome operator** means the holder of an aerodrome operator certificate issued by the CAA-B.

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

**Audit** means an in-depth compliance examination of all aspects of the implementation of the national civil aviation security programme.

**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 Programme 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 CAA-B.

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

**Badges** – See Permits

**Baggage** means the personal property of passengers or crew carried on an aircraft by agreement with the operator.

**Baggage container** means a receptacle in which baggage is loaded for conveyance in certain aircraft. Baggage containers are frequently called Unit Load Devices (ULD).

**Baggage Handling System (BHS)** means a computer-controlled system to coordinate baggage distribution from the check-in counters to the point where the baggage is loaded on to the airplane.

**Baggage reconciliation** means the security measures established in the National Civil Aviation Security Programme required to ensure that all baggage is matched to an accompanying passenger on an aircraft and that all other baggage carried on the aircraft is specifically authorized for transport. Baggage reconciliation is sometimes referred to as Positive Bag Match or Positive Passenger Baggage Match.

**Baggage sorting/sortation area** means the area where departure baggage is sorted into flight loads and arriving baggage is sorted for delivery to the passenger or transfer to another aircraft.

**Baggage storage area** means an area in which checked/hold baggage is stored pending transport to the aircraft or the area in which mishandled baggage is held until forwarded, claimed, or otherwise disposed of.

**Bomb Alert** means a status of alert initiated by competent authorities to activate an intervention plan to counter the possible consequences arising from a communicated threat, anonymous or otherwise, or arising from the discovery of a suspect device or item on an aircraft, at an airport, or in any civil aviation facility.

**Bomb Squad** – See Explosives Ordnance Disposal

**Bomb Threat** means a communicated threat, anonymous or otherwise which suggests or infers, whether true or false, that there is a threat to the safety of an aircraft in flight, on the ground, or at any airport or civil aviation facility from an explosive device. It also pertains to any similar threat to any person on an aircraft or on an airport.

**Cabin Baggage** means those personal items carried by a passenger that are allowed by the air carrier in the cabin of the aircraft and which must be screened or inspected in accordance with applicable directives.

**Car Bomb** – See Vehicle Borne Improvised Explosive Device

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

**Cargo Area** means all the ground space and facilities provided for cargo handling. It includes aprons, cargo buildings, warehouses, vehicle parks, and associated roadways.

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

**Cargo Security Programme** means the security measures established within the Airport Security Programme and the Operator Security Programme prepared in accordance with the National Civil Aviation Security Programme for the processing, examination, inspection, or screening of all cargo or freight on board a passenger aircraft.

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

**Catering** means all of the food, beverage, comfort, amenity, and duty-free resale items on board an aircraft for consumption and by the passengers and crew

**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.

**Deficiency** means failure to comply with aviation security requirements.

**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 Airport Security Programme.

**Explosive ordnance disposal** means the detection, identification, on-site evaluation, rendering safe, recovery and final disposal of unexploded explosive ordnance.

**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:

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

**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 Programme 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.

**National aircraft operator** means an aircraft operator operating under the CAA-B of an air operator certificate issued by the CAA-B.

**Permit** means cards or other documentation issued to individual persons employed on airports or who otherwise have need for authorized access to airports or to any restricted part of an airport. Permits are issued for the purposes of facilitating access and identifying the individual and include vehicle documentation issued for similar purposes. Permits are sometimes referred to as airport identity cards or passes.

**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 programme** means the National Civil Aviation Security Quality Control Programme.

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

**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 CAA-B, that entitles the holder to have access to a specific restricted area of an aerodrome during a specified period.

**Screening staff** means comprised of aviation security screening officers.

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

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

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

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

**Security programme** means an Airport Security Programme, National Aircraft Operator Security Programme, Foreign Aircraft Operator Security Programme, Flight Catering Operator Security Programme, Tenant Restricted Area Security Programme, Regulated Agent Security Programme, Aviation Service Provider Security Programme, and an Air Traffic Service Provider Security Provisions, where applicable.

**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.

**Sterile area** means an area within a restricted area to which access is controlled by the inspection of persons and property in accordance with this CAP or 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.

**Vehicle Borne Improvised Explosive Device** means an improvised explosive device delivered by, or concealed in, a vehicle.

## 1.5 National Civil Aviation Security Programme

The provisions of the National Civil Aviation Security Programme, as established by the CAA-B under CAR SEC, shall be adhered to by all aviation stakeholders or individuals where applicable.

The CAA-B has established a national aviation security committee 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 programme.

The CAA-B, as the appropriate authority, monitors and enforces the implementation of the National Civil Aviation Security Programme as applicable to safeguard civil aviation operations against acts of unlawful interference, which takes into account the safety, regularity and efficiency of flights.

The CAA-B ensures that personnel of all entities involved with or responsible for the implementation of the national civil aviation security programme and those authorised to have unescorted access to airside areas receive periodic security awareness training. The CAA-B ensures that each entity responsible for the relevant elements of the national civil aviation security programme periodically verifies that the implementation of security measures outsourced to external service providers is in compliance with the entity's security programme.

## 1.6 Certification

Aviation security screeners, security instructors, national inspectors/auditors and security managers shall be certified by the CAA-B in accordance with the provisions as contained in the National Civil Aviation Security Training Programme.

Aviation security training organisations shall be certified by the CAA-B in accordance with the provisions as contained in the National Civil Aviation Security Training Programme. Aviation security service providers shall be certified by the CAA-B in accordance with the provisions as contained in the National Civil Aviation Security Programme.

## 1.7 Security offences

- (a) In addition to action which can be taken against the holder of an aviation document there are provisions in the CAA-B legislation for criminal, civil and administrative penalties for non-compliance with the regulations and directives. The following is an extract from the Civil Aviation Act 2021;
- (1) “All persons shall comply with all instructions provided to them concerning security procedures at or on aerodromes, including —
- (a) instructions on posted signs; and
  - (b) verbal or written instructions.
- (2) A person commits an offence if that person —
- (a) carries, attempts to carry, or causes another to carry into an aircraft, dangerous goods as classified in the regulations, or identified by signs posted at the airport, without proper authorisation;
  - (b) carries, or causes another to carry a prohibited weapon, as described in signs posted at the airport, into a passenger screening checkpoint;
  - (c) enters into any security restricted area, as identified by signs posted through on and around the aerodrome, without proper authorisation;
  - (d) intentionally causes, or attempts to cause, any testing or evaluation of aviation security practices or procedures;
  - (e) causes, or attempts to cause, the shipment of any weapon, in particular firearms, or any explosive substance, or replicas thereof, via any method on an aircraft without notifying the aircraft operator in advance;
  - (f) provides false or misleading information in any application for access authorisation to aircraft or aerodromes in The Bahamas;
  - (g) uses any form of aerodrome access media, such as an aerodrome pass or badge, to gain or attempt to gain access to a restricted area of an aerodrome —
    - (i) where the access media has not been properly issued to the person; or

- (ii) the person is no longer employed by, or has an official connection to the company, organisation, or other entity that sponsored the issuance of such access media.
- (3) The CAA-B may revoke or suspend the certificate or approval for operation of any aerodrome operator, aircraft operator, company, or organisation that fails to comply with a provision of the regulations, or of the National Civil Aviation Security Programme or an approved security programme.
- (2) A person who commits an offence under this section is liable on summary conviction to a fine not exceeding fifty thousand dollars, or imprisonment for a term not exceeding two years, or to both fine and imprisonment.”

### 1.8 Cooperation with Other Agencies

All of ICAO’s initiatives in the field of aviation security rely, both globally and regionally, on cooperation amongst States and all other stakeholders. As part of international agreements, the CAA-B participates in international joint assessments by various agencies, including the TSA, and Transport Canada.

This cooperation enhances global security by implementing uniform security measures around the world and is an internationally accepted practice. Personnel from other agencies will be afforded the rights of an authorised person under the Civil Aviation Act whenever exercising the privileges under any agreement.

### 1.9 Risk Assessment and Mitigation

The NCASP Chapter 8 explains risk assessment and mitigation methodology. Using this methodology all operators and organizations required to have a security programme under CAR SEC are required to develop and utilize a risk assessment methodology in determining the level of threat to civil aviation and setting the priorities and frequency of their own quality control activities.

Risk assessment methodology should address the following threat scenarios, among others:

- (a) person-borne IEDs (on person, in cabin baggage or hold baggage);
- (b) vehicle-borne IEDs;
- (c) introduction of an IED or a prohibited item into an aircraft;
- (d) IEDs in cargo;
- (e) MANPADS;
- (f) airborne threats:
  - (1) aircraft as a weapon;

- (2) hijacking;
- (3) remotely piloted aircraft system threats;
- (g) cyberattack:
  - (1) ATM systems;
  - (2) aircraft systems;
  - (3) airport systems;
- (h) chemical, biological and radiological threats;
- (i) threats to the landside;
- (j) IED or weapon or toxins concealed in catering or other services;
- (k) Hoaxes;

The process starts with the identification of hazards and their potential consequences. The safety risks are then assessed in terms of probability and severity, to define the level of safety risk (safety risk index). If the assessed safety risks are deemed to be tolerable, appropriate action is taken and the operation continues. The completed hazard identification and safety risk assessment and mitigation process is documented and approved as appropriate and forms part of the safety information management system.

If the safety risks are assessed as medium to high by either the CAA-B or the operator/organisation, the following questions become relevant:

- (a) ***Can the hazards and related safety risk(s) be eliminated?*** If the answer is yes, then action as appropriate is taken and documented. If the answer is no, the next question is:
- (b) ***Can the safety risk(s) be mitigated?*** If the answer is no, related activities must be cancelled. If the answer is yes, mitigation action as appropriate is taken and the next question is:
- (c) ***Do any residual safety risks exist?*** If the answer is yes, then the residual risks must be assessed to determine their level of tolerability, as well as whether they can be eliminated or mitigated, as necessary to ensure an acceptable level of safety performance.

After safety risks have been assessed, appropriate mitigations can be implemented. Mitigation measures may include a number of alternatives including, but not limited to, modifications to existing operating procedures, training programmes, or equipment used in the delivery of aviation products or services. Additional alternatives may include the introduction of new operating procedures, training programmes, technologies or supervisory controls. Almost invariably these alternatives will involve deployment or re-deployment of the three traditional aviation safety defences - technology, training and regulations.



A determination of any unintended consequences, particularly the introduction of new hazards, should be made prior to the implementation of any risk mitigation measures.

The three generic safety risk mitigation approaches include:

- (a) **Avoidance.** The activity is suspended, either because the associated safety risks are intolerable or deemed unacceptable vis-à-vis the associated benefits.
- (b) **Reduction.** Some safety risk exposure is accepted, although the severity or probability associated with the risks are lessened, possibly by measures that mitigate the related consequences.
- (c) **Segregation of exposure.** Action is taken to isolate the potential consequences related to the hazard or to establish multiple layers of defences to protect against them.

A risk mitigation strategy may involve one of the approaches described above, or may include multiple approaches. It is important to consider the full range of possible control measures to find an optimal solution. The effectiveness of each alternative strategy must be evaluated before a decision can be taken. Each proposed safety risk mitigation alternative should be examined from the following perspectives:

- (a) **Effectiveness.** The extent to which the alternatives reduce or eliminate the safety risks. Effectiveness can be determined in terms of the technical, training and regulatory defences that can reduce or eliminate safety risks:
- (b) **Cost/benefit.** The extent to which the perceived benefits of the mitigation outweigh the costs.
- (c) **Practicality.** The extent to which the mitigation is implementable and appropriate in terms of available technology, financial and administrative resources, legislation and regulations, political will, etc.
- (d) **Acceptability.** The extent to which the alternative is consistent with stakeholder paradigms.
- (e) **Enforceability.** The extent to which compliance with new rules, regulations or operating procedures can be monitored?
- (f) **Durability.** The extent to which the mitigation will be sustainable and effective.
- (g) **Residual safety risks.** The degree of safety risk that remains subsequent to the implementation of the initial mitigation, and which may necessitate additional risk control measures.
- (h) **Unintended consequences.** The introduction of new hazards and related safety risks associated with the implementation of any mitigation alternative.



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## CHAPTER 2

## AIRPORT AND AIRCRAFT OPERATOR GENERAL SECURITY REQUIREMENTS

**2.1 Protection of Sensitive Security Information**

For the purpose of the requirements of this CAP, the following information and records containing such information constitute sensitive security information;

- (a) an approved security programme for an aircraft operator, aerodrome operator, regulated agent, flight catering operator, or tenant restricted area operator;
- (b) any security programme that relates to transportation by air and any comments, instructions or implementing guidance pertaining thereto;
- (c) security directives, information circulars and any comments, instructions or implementing guidance pertaining thereto;
- (d) any profile used in any security screening process, including for persons, baggage or cargo;
- (e) any security contingency plan or information and any comments, instructions, or implementing guidance pertaining thereto;
- (f) technical specifications of any device used for the detection of any deadly or dangerous weapon, explosive, incendiary, or destructive substance;
- (g) a description of, or technical specifications of, objects used to test screening equipment;
- (h) communication procedures and technical specifications of any security communication equipment;
- (i) any information that the CAA-B has determined may reveal a systemic vulnerability of the aviation system or a vulnerability of aviation facilities, to attack;
- (j) information concerning threats against civil aviation released by the CAA-B;
- (k) specific details of aviation security measures whether applied directly by the CAA-B 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;
- (l) any other information, the disclosure of which the CAA-B has prohibited; and
- (m) any draft, proposed or recommended change to security information and records.

## 2.2 Measures Relating to Cyber Threats

The CAA-B 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.

The CAA-B will encourage entities involved with or responsible for the implementation of various aspects of the national civil aviation programme 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.

## 2.3 Confidential or Classified Security Information

- (a) A person shall not divulge sensitive security information as defined in paragraph 2.1 to persons/organisations;
  - (1) in respect of security measures in effect at an aerodrome without the permission of the aerodrome operator; or
  - (2) regarding any aviation security activity, document or procedure without the permission of the CAA-B.
- (b) Criminal, civil and administrative penalties apply for non-compliance.

## 2.4 Search of Persons & Goods

- (a) Any person who, prior to entering a restricted area, security restricted area or sterile area is required by an aviation security officer or aviation security screening officer, shall;
  - (1) submit to a search of his person;
  - (2) 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) submit to a search of a vehicle or other means of conveyance, under his control; and
  - (4) not be granted access to the restricted area, security restricted area or sterile area unless he/she 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, security restricted area or sterile area immediately and remove the goods, vehicle or means of conveyance in his possession from the restricted area, security restricted area or sterile area.

- (c) A person under (b) who is requested to leave a restricted area, security restricted area or sterile area shall be escorted out of such restricted area, security restricted area or sterile area by an aviation security officer or aviation security screening officer.
- (d) Criminal, civil and administrative penalties apply for non-compliance.

## 2.5 Passengers & Members of the Public

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. This list shall continue to be updated by security directives.*

- (a) 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.
- (b) 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.
- (c) 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.
- (d) 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
- (e) Where a person has been ordered to disembark from an aircraft by the pilot-in-command or an aviation security officer or law enforcement officer, that person shall disembark from the aircraft and remove his carry-on baggage and have his checked baggage removed from the aircraft.
- (f) Criminal, civil and administrative penalties apply for non-compliance.

## 2.6 Submission to Screening

A person shall not enter a 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.

Criminal, civil and administrative penalties apply for non-compliance.

## 2.7 Refusal of Screening

- (a) 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 security restricted area or sterile area.
- (b) Where, after entering an security restricted area/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 security restricted area or sterile area and remove such goods, vehicle or means of conveyance from the security restricted area/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.
- (d) Criminal, civil and administrative penalties apply for non-compliance.

## 2.8 Unaccompanied Baggage

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.

## 2.9 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; or
  - (2) is identified in the emergency response plan of the aerodrome operator and is attending to an aerodrome emergency.

## **2.10 Restriction on Entry into Security restricted areas & Sterile Area**

A person shall not enter an 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.

## **2.11 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.
- (d) No person other than the Airport Manager (or persons occupying such analogous positions) shall:
- (1) Make a copy of a key;

- (2) Disclose a combination code for accessing a restricted area;
  - (3) Use a combination code not assigned to them;
  - (4) Disclose a personal identification code; or
  - (5) Use another person's identification code.
- (e) Criminal, civil and administrative penalties apply for non-compliance.

### 2.12 Screening of Diplomats

- (a) Diplomats and other privileged persons and their personal baggage should 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.*

### 2.13 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 programme of an aircraft operator;
  - (2) the discovery of other prohibited items as listed in Appendix 1;
  - (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 required security screening;
  - (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 CAA-B in accordance with procedures set out in his approved Airport Security Programme.



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## CHAPTER 3

### SECURITY PROGRAMMES

#### 3.1 General Conditions for Security Programme

- (a) An international airport operator or designated domestic airport operator shall not operate the aerodrome specified in his aerodrome certificate/licence unless he has submitted, for such aerodrome, a proposed Airport Security Programme, which is subsequently approved by the CAA-B.
- (b) A person shall not operate a Bahamas registered aircraft on commercial air transport operations within The Bahamas or internationally unless he has submitted a proposed Aircraft Operator Security Programme for his operations to the CAA-B for its acceptance and subsequent approval.
- (c) A foreign scheduled commercial air transport operator shall not conduct operations in The Bahamas unless he has submitted a proposed Airline Operator Security Programme as part of his application for air services to the CAA-B 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 Programme for his operations, to the CAA-B for its acceptance and subsequent approval, or has satisfied the CAA-B 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 Programme for his operations, to the Appropriate Airport Authority and to the CAA-B for acceptance and subsequent approval by the CAA-B.
- (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 Programme or Tenant Restricted Area Security Programme for his operations, to the Airport CAA-B and to the CAA-B for acceptance and subsequent approval by the CAA-B.
- (g) Where a person or an entity wishes his proposed security programme to be approved by the CAA-B he shall;
  - (1) submit such security programme in writing at least 60 days before the intended date of operations;
  - (2) pay the prescribed fee.

- (h) A security programme shall be signed by the applicant's accountable key management person 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 programmes to the CAA-B annually for review.
- (j) Whenever a security programme cannot be maintained for any reason the CAA-B must be notified of the reasons and the proposed corrective action to be taken.
- (k) The CAA-B shall require corrective action to be taken whenever the implementation of a security programme is determined to be inconsistent with that programme.

### 3.2 Additional Requirements for Applications

Where a person or operator, submits his security programme as part of his application for;

- (a) an aerodrome operator certificate/licence;
- (b) an Air Operator Certificate; or
- (c) a foreign air operator operations specifications authorisation.

that entity shall, in addition to meeting the requirements of CAR SEC, meet these requirements for the security programme.

### 3.3 Acceptance of Security Programmes

- (a) Where the CAA-B is satisfied that a proposed security programme submitted meets the requirements of CAR SEC and this CAP and does not conflict with the National Civil Aviation Security Programme, the proposed security programme may be accepted.
- (b) Where the CAA-B determines that a proposed security programme submitted requires modification the applicant must modify and resubmit the proposed security programme for acceptance.
- (c) An aerodrome operator, aircraft operator, regulated agent, flight catering operator who submitted a proposed security programme for acceptance shall not conduct operations until the implementation of such programme has been evaluated and the programme has been accepted for use.

- (d) Where the CAA-B is satisfied that the submitted security programme does not meet the requirements and is in conflict with the National Civil Aviation Security Programme, then such Security Programme will not be accepted 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 under the Civil Aviation Act.

**3.4 Contents of an Airport Security Programme**

- (a) An Airport Security Programme in respect of a certified/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 programme.
- (b) An Airport Security Programme under paragraph (a), shall be accompanied by a current scale map of the aerodrome

**3.5 Development of Security Measures**

- (a) In developing an Airport Security Programme 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.

**3.6 Approved Airport Security Programme**

- (a) Upon a proposed Aerodrome Operator Security Program is accepted by the CAA-B the aerodrome operator shall within 30 days of such acceptance ensure that such Airport Security Programme is implemented and in full operation.
- (b) Where an aerodrome operator has implemented his accepted Aerodrome Operator Security Program he shall notify the CAA-B that he;
  - (1) has implemented such accepted Airport Security Programme; and
  - (2) wishes to commence operations under such implemented Airport Security Programme once it is approved by the CAA-B.
- (c) Where the CAA-B is satisfied that the Airport Security Programme implemented at the aerodrome and the accepted Airport Security Programme of the aerodrome operator are identical, it may approve the Airport Security Programme for full operation in commercial air transport operations.

- (d) Notwithstanding paragraph (c), where the Airport Security Programme implemented at the aerodrome and the accepted Airport Security Programme are not identical, but the differences are within an acceptable level the CAA-B may approve such Airport Security Programme, or require corrective action to resolve those differences within a specified period.

### **3.7 Contents of a Commercial Air Operator Security Programme**

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

### **3.8 Development of Security Measures**

- (a) In addition to the requirements of CAR SEC and this CAP an aircraft operator shall ensure that the Aircraft Operator Security Programme, contains;
- (1) provisions to meet his international obligations where applicable; and
  - (2) provisions to meet the requirement of other National obligations under the Civil Aviation Act or other Bahamian requirements.

### **3.9 Approval of Aircraft Operator Security Programme**

- (a) Upon a proposed Aircraft Operator Security Programme being approved by the CAA-B, the aircraft operator shall ensure that such Aircraft Operator Security Programme is implemented and in full operation within 7 days.

### **3.10 Contents of a Regulated Agent Security Programme**

- (a) A regulated agent shall ensure that his Regulated Agent Security Programme, contains;
- (1) provisions to meet the requirements of the National Civil Aviation Security Programme and his national obligations under CAR SEC or the applicable directives of this CAP; 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.

### 3.11 Approval of Regulated Agent Security Programme

- (a) Upon a proposed Regulated Agent Security Programme, accepted by the CAA-B the regulated agent shall within 30 days of such acceptance ensure that such accepted Regulated Agent Security Programme is implemented and in full operation.
- (b) Where the regulated agent has implemented his accepted Regulated Agent Security Programme in accordance with paragraph (a), he shall notify the CAA-B that he has implemented his accepted Regulated Agent Security Programme; and wishes to commence operations under such implemented Regulated Agent Security Programme once it is approved by the CAA-B.
- (c) Where the CAA-B is satisfied that the Regulated Agent Security Programme implemented by the regulated agent and the accepted Regulated Agent Security Programme are identical, he may approve the Regulated Agent Security Programme, (hereinafter referred to as “an approved Regulated Agent Security Programme”) for full operation in the operations of the regulated agent.
- (d) Notwithstanding paragraph (c), where the approved Regulated Agent Security Programme implemented by the regulated agent and the accepted Regulated Agent Security Programme are not identical, but the differences are within an acceptable level the CAA-B may approve such Regulated Agent Security Programme, or require corrective action to resolve those differences within a specified period.

### 3.12 Contents of a Flight Catering Operator Security Programme

- (a) A flight catering operator shall ensure that his Flight Catering Operator Security Programme, contains provisions to meet the requirements of the National Civil Aviation Security Programme and his national obligations under the Act or requirements of CAR SEC and this CAP.
- (b) A Flight Catering Operator Security Programme 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 CAA-B.
- (c) A Flight Catering Operator Security Programme 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 that directive.

### 3.13 Approval of Flight Catering Operator Security Programme

- (a) Upon a proposed Flight Catering Operator Security Programme being accepted by the CAA-B the flight catering operator shall within 30 days of such acceptance ensure that such accepted Flight Catering Operator Security Programme is implemented and in full operation.

- (b) Where the flight catering operator has implemented his approved Flight Catering Operator Security Programme in accordance with paragraph (a), he shall;
  - (1) notify the CAA-B that he has implemented his accepted Flight Catering Operator Security Programme; or
  - (2) wishes to commence operations under such implemented Flight Catering Operator Security Programme once it is approved by the CAA-B.
- (c) Where the CAA-B is satisfied that the Flight Catering Operator Security Programme implemented by the flight catering operator and the accepted Flight Catering Operator Security Programme are identical, he may approve the Flight Catering Operator Security Programme, (hereinafter referred to as “an approved Flight Catering Operator Security Programme”) for full operation in the operations of the flight catering operator.
- (d) Notwithstanding paragraph (c), where the Flight Catering Operator Security Programme implemented by the flight catering operator and the accepted Flight Catering Operator Security Programme are not identical, but the differences are within an acceptable level the CAA-B may approve such Flight Catering Operator Security Programme, or require corrective action to resolve those differences within a specified period.

**3.14 Contents of a Tenant Restricted Area Security Programme**

- (a) A Tenant Restricted Area Security Programme 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 Programme.
- (b) A Tenant Restricted Area Security Programme 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.

**3.15 Approval of Tenant Restricted Area Security Programme**

- (a) Upon a proposed Tenant Restricted Area Security Programme being accepted by the airport authority, the Tenant Restricted Area operator shall within 30 days of such acceptance ensure that such accepted Tenant Restricted Area Security Programme is implemented and in full operation.
- (b) Where the Tenant Restricted Area operator has implemented the approved Tenant Restricted Area Security Programme in accordance with paragraph (a), he shall;
  - (1) notify the CAA-B that he has implemented his approved Tenant Restricted Area Security Programme; or
  - (2) wishes to commence operations under such implemented Tenant Restricted Area Security Programme once it is approved by the CAA-B.



- (c) Where the CAA-B is satisfied that the Tenant Restricted Area Security Programme implemented by the operator of a tenant restricted area and the accepted Tenant Restricted Area Security Programme are identical, he may approve the TRA Security Programme, (hereinafter referred to as “an approved Tenant Restricted Area Security Programme”) for full operation in the operations of the tenant restricted area.
- (d) Notwithstanding paragraph (c), where the Tenant Restricted Area Security Programme implemented by the operator of a tenant restricted area and the accepted TRA Security Programme are not identical, but the differences are within an acceptable level the CAA-B may approve such Tenant Restricted Area Security Programme, or require corrective action to resolve those differences within a specified period.

### **3.16 Contents of an Aviation Service Provider Security Programme**

- (a) An aviation service provider shall ensure that his Security Programme contains provisions to meet the requirements of the National Civil Aviation Security Programme and his national obligations under the Act or the requirements of CAR SEC and this CAP.
- (b) An aviation service provider shall ensure that his Security Programme 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 Programme.

### **3.17 Approval of an Aviation Service Provider Security Programme**

- (a) Upon a proposed Aviation Service Provider Security Programme being accepted by the CAA-B, the aviation service provider shall within 30 days of such acceptance ensure that such accepted Security Programme is implemented and in full operation.
- (b) Where the aviation service provider has implemented the approved Aviation Service Provider Security Programme in accordance with paragraph (a), he shall;
  - (1) notify the CAA-B that he has implemented his accepted Security Programme; or
  - (2) wishes to commence operations under such implemented Security Programme once it is approved by the CAA-B.
- (c) Where the CAA-B is satisfied that the Security Programme implemented by the aviation service provider and the accepted Security Programme are identical, he may approve the Security Programme, (hereinafter referred to as “an approved Aviation Service Provider Security Programme”) for full operation in the operations of the aviation service provider.
- (d) Notwithstanding paragraph (c), where the Security Programme implemented by the aviation service provider and the accepted Security Programme are not identical, but the differences are within an acceptable level the CAA-B may approve such Security Programme, or require corrective action to resolve those differences within a specified period.

### **3.18 Contents of an Air Traffic Services Security Programme**

- (a) An air traffic service provider shall ensure that his Security Programme contain adequate procedures to meet the requirements of the National Civil Aviation Security Programme and his national obligations under CAR SEC or the applicable directives of this CAP.
- (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 Programme.

**3.19 Approval of an Air Traffic Services Security Programme**

- (a) Upon a proposed Air Traffic Services Security Programme being accepted by the CAA-B, the air traffic service provider shall within 30 days of such acceptance ensure that such accepted Security Provisions are implemented and in full operation.
- (b) Where the air traffic service Programme has implemented his accepted Air Traffic Services Security Provisions in accordance with paragraph (a), he shall;
  - (1) notify the CAA-B that he has implemented his accepted Security Programme; and
  - (2) wishes to commence operations under such implemented Security Programme once it is approved by the CAA-B.
- (c) Where the CAA-B 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 Programme, (hereinafter referred to as “an approved Air Traffic Services Security Programme”) for full operation in the operations of the air traffic service provider.
- (d) 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 CAA-B may approve such Security Provisions or require corrective action to resolve those differences within a specified period.

**3.20 Modifications to Operational Particulars Affecting Security**

- (a) Where a security programme has been approved (hereinafter referred to as “an approved Security Programme”), 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 programme is no longer accurate, the procedures included, and the facilities and equipment described, in such Approved Security programme are no longer adequate;
  - (2) in respect of an aerodrome operator;
    - (i) any description of the aerodrome area set out in such Airport Security

Programme is no longer accurate; and

- (ii) the changes to the designation of the Aerodrome Security Manager.
- (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 CAA-B 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 Programme; and
  - (2) within 30 days after notifying the CAA-B in accordance with paragraph 2(a), submit for approval, an amendment to his Security Programme.

### **3.21 Amendment of Approved Security Programme**

- (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 Programme, he shall submit the request for such approval to the CAA-B at least 30 days before the proposed effective date of intended implementation of the amended approved Security Programme.
- (b) When the CAA-B is satisfied that the proposed amendment to the approved Security Programme provides the level of security required, he may approve the amended approved Security Programme.

### **3.22 Amendment of Approved Security Programme**

- (a) The CAA-B 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 Programme, where he determines that safety and the public interest require the amendment.
- (b) Where the CAA-B 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 Programme under paragraph (a), the CAA-B 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 Programme which meets the intent of the required amendment, for consideration by the CAA-B.
- (d) When the CAA-B is satisfied that the alternative amendment submitted under paragraph



(c), would provide an overall level of security equal to that required by the CAA-B, he may approve the alternative amendment to the approved Security Programme.

## CHAPTER 4

### AERODROME OPERATORS

#### 4.1 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 CAA-B 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 CAA-B 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,

#### 4.2 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 CAA-B from time to time.
- (b) An Aerodrome Security Committee under paragraph (a), shall comprise of those representatives stipulated within the respective Airport Security Programmes approved by the CAA-B.

#### 4.3 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;
  - (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 programme that meets the requirements under paragraph (e). Where the CAA-B 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 programme 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 directives of this CAP.
- (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 CAR SEC or the applicable directives of this CAP 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 under the Civil Aviation Act and may be liable to a civil penalty or upon conviction may be liable to a fine or imprisonment or to both.
- (e) The training programme required under paragraph (a)(3), shall include training in the subjects specified in the approved Aerodrome Operators Security Programme and meet the training standards specified in the National Civil Aviation Security Programme and National Civil Aviation Security Training Programme.

*Note: An aviation security officer or aviation security screening officer who provides false or misleading information in any application for access authorisation to aircraft or aerodromes in The Bahamas commits an offence under the Civil Aviation Act.*

#### **4.4 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 Airport Security Programme; and
  - (2) each required passenger and baggage screening system.
- (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 the applicable directives of this CAP and the National Civil Aviation Security Programme;
  - (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 Programme; 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 directives of this CAP and the National Civil Aviation Security Programme;
  - (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 CAA-B while assigned to duty; and
  - (5) has completed a training programme 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 Programme.
- (g) An Aerodrome Operator shall ensure coordination of landside security measures between relevant departments, agencies, and other entities, and identify appropriate responsibilities.

#### **4.5 Support From Members of The Royal Bahamas Police Force**

- (a) At each aerodrome specified by the CAA-B, 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 Programme.

#### 4.6 Requirement for Screening

- (a) Every person entering a sterile area, or security restricted area, at any aerodrome to which the requirements of the applicable directives of this CAP apply or as specified within the appropriate Aerodrome Security Programme, is required to be screened, including any carry-on baggage, goods or other articles in their possession.
- (b) An organisation approved by the CAA-B 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 Programme.
- (c) An organisation approved by the CAA-B 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 Programme.
- (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 the applicable directives of this CAP. 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;
- (e) 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.
- (f) 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.
- (g) Notwithstanding paragraph (a), the Director General of the CAA-B 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.
- (h) Criminal, civil and administrative penalties apply for non-compliance.



#### 4.7 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 CAA-B; 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.

#### 4.8 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 Programme, or the Aerodrome Security Programme.
- (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 Programme or Aerodrome Security Programme.
- (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.

#### 4.9 Access Control System

- (a) An aerodrome operator shall ensure that the location and function of restricted areas, 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, 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 Airport Security Programme details of a system, method and procedure, which shall ensure that;
- (1) access points into restricted areas, 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, 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) 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 security restricted areas or sterile areas;
  - (6) the screening under paragraph (e) shall be to the same standard as that required for passengers; 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 CAA-B 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 Airport Security Programme.
- (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.

#### **4.10 Airport Restricted Area Permit System**

- (a) An aerodrome operator shall ensure that access to a restricted area, 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.

#### **4.11 Evidence of Compliance**

- (a) An Aerodrome Operator shall provide evidence of compliance of CAR SEC or the applicable directives of this CAP, in his approved Airport Security Programme.

#### **4.12 Aerodrome Security Manager**

- (a) An aerodrome operator shall designate, in his approved Airport Security Programme, 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 CAA-B, as set forth in the approved Airport Security Programme.

#### **4.13 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.

#### **4.14 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.

#### **4.15 Discovery of Weapons, Prohibited Items, Incendiary Devices or Explosives**

- (a) An aerodrome operator shall immediately notify the CAA-B when there is;

- (1) the discovery, at the aerodrome, of a weapon, other than an unloaded firearm allowed under the regulations;
- (2) the discovery, at the aerodrome, of a prohibited item, as listed in Appendix 1;
- (3) the discovery, at the aerodrome, of an explosive substance or an incendiary device, other than a permitted explosive substance or incendiary device;
- (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.

#### **4.16 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 CAA-B, of the aerodrome and buildings located at that aerodrome, that identifies the restricted areas, security restricted areas and sterile areas, security barriers and restricted area access points, 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.

#### **4.17 Aerodrome Operator to Provide Information**

- (a) The aerodrome operator shall provide to the CAA-B, on reasonable notice given by the CAA-B, 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; and
  - (2) a copy of the required scale map and plan.
- (b) An aerodrome operator shall provide the CAA-B with written notice of any new commercial air transportation service that is to commence operations at the airport terminal building.

## CHAPTER 5

## AIRCRAFT OPERATOR SECURITY

**5.1 Aircraft Operator Security Programme**

- (a) An aircraft operator having an approved Aircraft Operator Security Programme shall;
  - (1) maintain one complete copy of his approved Aircraft Operator Security Programme at his principal business office;
  - (2) maintain a complete copy or the pertinent portions of his approved Aircraft Operator Security Programme 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 CAA-B; and
  - (4) restrict the distribution, disclosure, and availability of sensitive security information to persons who by their defined roles in the programme require such information for the performance of their function.

**5.2 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 Programme.
- (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 Programme;

- (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 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, or while the carry on or checked baggage of such person is on board that 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 CAR SEC or the applicable directives of this CAP, the pilot in command may order that person to disembark from such aircraft.

### **5.3 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 coordinate the ground security duties specified in his approved Aircraft Operator Security Programme; and

- (2) designate the pilot in command as the In-flight Security Coordinator for each flight, as required by his approved Aircraft Operator Security Programme to coordinate activities in response to threats of acts of unlawful interference.
- (b) An aircraft operator shall, where directed by the CAA-B, 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.

#### 5.4 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 permitted to be on board.
- (c) A person shall not, without CAA-B, 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 the applicable directives of this CAP, “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 documentation that permits him to have in his possession such firearm. (e.g. firearm licence; export or import licence or bill of sale).
- (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.

## 5.5 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 CAA-B.
- (b) An aerodrome operator, aircraft operator, or any other person authorised to conduct screening on his behalf, may be authorised by the CAA-B, to use X-ray systems for inspecting carry-on or checked baggage under an approved Aircraft Operator Security Programme, or Aerodrome Security Programme 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 CAA-B in the National Civil Aviation Security Programme;
  - (2) a programme 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 Programme; and
  - (3) the system meets the imaging requirements described in the approved Aircraft Operator Security Programme, or Aerodrome Security Programme in accordance with the combined test requirements prescribed by the CAA-B.
- (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 CAA-B;
  - (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 CAA-B; 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 CAA-B 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 Programme, or Aerodrome Security Programme.

## 5.6 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 CAA-B.
- (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 CAA-B of the threat.

## 5.7 Reporting of Security Incidents

- (a) An aircraft operator shall immediately notify the CAA-B when there is;
  - (1) a hijacking or attempted hijacking of an aircraft;
  - (2) the discovery, on board an aircraft, of a weapon, other than a permitted unloaded firearm;
  - (3) the discovery, on board an aircraft, of an explosive substance or an incendiary device, other than an explosive substance or incendiary device permitted by the CAA-B to be on board the aircraft;
  - (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 permitted firearm is detected in any part of the aerodrome under its control.

**5.8 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 CAA-B 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 permitted weapon;
- (2) any other prohibited items, as specified in Appendix 1;
- (3) an explosive substance, other than;
  - (i) ammunition carried by an authorised person allowed to carry or have access to a weapon or firearm; or
  - (ii) a permitted explosive substance; or
- (4) an incendiary device, other than a permitted incendiary device.

- (b) A person authorised to conduct screening activities shall immediately notify the appropriate aircraft operator, the aerodrome operator, the appropriate Police agency and the CAA-B 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.

**5.9 Security Information**

- (a) An aircraft operator shall where the CAA-B provides reasonable notice, provide the CAA-B, 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; and
- (2) a description of the nature of operations related to a particular flight and the services provided in respect of the flight.

### 5.10 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 CAA-B, on reasonable notice given by the CAA-B, 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; and
  - (2) a description of the nature of the operations related to a particular flight and the services provided in respect of the flight.

### 5.11 Provision of Information 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 CAA-B upon request, 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; and
  - (2) a description of the nature of the screening operations related to a particular flight or at a particular aerodrome.

### 5.12 Use of Explosives Detection Systems

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

### 5.13 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, 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.

## 5.14 Training

### 5.14.1 General

- (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 Programme and required by the National Civil Aviation Security Training Programme.
- (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 Programme and the National Civil Aviation Security Training Programme.

### 5.14.2 Training Programme

- (a) An aircraft operator shall establish and maintain an approved security training programme which ensures crew members act in the most appropriate manner to minimize the consequences of acts of unlawful interference. As a minimum, this programme shall include the following elements;

- (1) determination of the seriousness of any occurrence;
  - (2) crew communication and coordination;
  - (3) appropriate self-defence responses;
  - (4) use of non-lethal protective devices assigned to crew members whose use is authorized by the State of the Operator;
  - (5) understanding of behaviour of terrorists so as to facilitate the ability of crew members to cope with hijacker
  - (6) behaviour and passenger responses;
  - (7) live situational training exercises regarding various threat conditions;
  - (8) flight crew compartment procedures to protect the aeroplane; and
  - (9) aeroplane search procedures and guidance on least-risk bomb locations where practicable.
- (b) The aircraft operator shall also establish and maintain a training programme to acquaint appropriate employees with preventive measures and techniques in relation to passengers, baggage, cargo, mail, equipment, stores and supplies intended for carriage on an aircraft so that they contribute to the prevention of acts of sabotage or other forms of unlawful interference.

#### 5.15 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 CAR SEC, this CAP, applicable security directives and information circulars issued by the CAA-B; and
    - (ii) elements of the approved Aircraft Operator Security Programme or Airport Security Programme 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 CAR SEC or the applicable directives of this CAP;

- (B) the approved Aircraft Operator Security Programme or Airport Security Programme; and
    - (C) applicable security directives; and
  - (ii) immediately initiates corrective action for each instance of non-compliance with;
    - (A) the requirements of CAR SEC or the applicable directives of this CAP;
    - (B) the approved Aircraft Operator Security Programme or Airport Security Programme; 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 CAA-B has determined is necessary for the person to perform his duties and as stipulated in the National Aviation Security Training Programme and National Aviation Security Quality Control Programme;
  - (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 programme, or aerodrome security programme 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 CAA-B;
  - (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 Programme, Airport Security Programme and the National Aviation Security Training Programme.
- (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 Programme, or Aerodrome Security Programme, 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.



## CHAPTER 6

### CARGO & REGULATED AGENT SECURITY

#### 6.1 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 CAA-B, or such consignments are subjected to other security controls, that are approved by the CAA-B, 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.

#### 6.2 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 Programme.
- (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 CAA-B on demand, shipping documents, records of goods accepted and offered for air transport, employee training records, airway bills and valid consignment security declarations.

#### 6.3 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) 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 CAA-B.
- (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 CAA-B 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.

#### **6.4 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 provides evidence of a breach of CAR SEC or the applicable directives of this CAP, the aircraft operator shall maintain possession of the goods offered for air transport by a regulated agent and the airway bill and inform the CAA-B in the prescribed form.

#### **6.5 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 CAA-B, 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.

## CHAPTER 7

### FLIGHT CATERING OPERATOR SECURITY

#### 7.1 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 Programme that has been approved by the CAA-B.
- (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 CAA-B 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.

#### 7.2 Responsibility of the Aircraft Operator Receiving Catering Stores & Supplies

- (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 Programme, approved by the CAA-B.
- (d) An aircraft operator shall make available to the CAA-B 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 CAR SEC or the applicable directives of this CAP.

### **7.3 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 provides evidence of a breach of CAR SEC or the applicable directives of this CAP, the aircraft operator shall maintain possession of the catering supplies and documentation and inform the CAA-B in the prescribed form.



CHAPTER 8

TENANT RESTRICTED AREA SECURITY

**8.1 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 CAA-B 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 CAR SEC, the applicable directives within this CAP, the Airport (Restricted Area) Directives in force, and the terms and conditions of his approved Tenant Restricted Area Operator Security Programme.



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## CHAPTER 9

### AVIATION SERVICE PROVIDER SECURITY

#### 9.1 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 CAR SEC, the applicable directives of this CAP, any Airport (Restricted Area) Directives in force, and the terms and conditions of his approved Aviation Service Provider Security Programme.

#### 9.2 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 Programme and required by the National Civil Aviation Security Training Programme.

#### 9.3 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 CAR SEC or the applicable directives of this CAP, applicable security directives and information circulars issued by the CAA-B; and
  - (2) elements of the approved Airport Security Programme, Aircraft Operator Security Programme or the approved Security Programme 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.



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## CHAPTER 10

### AIR TRAFFIC SERVICE PROVIDER SECURITY

#### 10.1 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 CAA-B, 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 CAR SEC, the applicable directives of this CAP, 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 centre without displaying the requisite identification at chest level.

#### 10.2 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 Programme and required by the National Civil Aviation Security Training Programme.

#### 10.3 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 CAR SEC or the applicable directives of this CAP, applicable security directives and information circulars issued by the CAA-B; 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.



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## CHAPTER 11

## GENERAL AVIATION

## 11.1 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.



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## CHAPTER 12

### QUALITY CONTROL

#### 12.1 Objectives & Content of Quality Control Programme

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

#### 12.2 Compliance Monitoring

- (a) The implementation of the National Civil Aviation Security Programme shall be monitored by the CAA-B for compliance by all stakeholders.
- (b) The CAA-B aviation security inspectors shall conduct on-going quality control activities, such as periodic and random inspections, audits and testing of the effectiveness of security measures and procedures. Aviation security inspectors are formally empowered and authorized to:
  - (1) inspect any part of any airport in The Bahamas or any land or area outside the airport used by businesses that operate at the airport, or that is in SRAs;
  - (2) inspect any aircraft registered or operating in The Bahamas for the purpose of evaluating any security procedure;
  - (3) inspect and test the effectiveness of security measures and procedures and performance of security equipment;
  - (4) take into an airport, airside area or any designated SRA, and use any equipment necessary to carry out their duties, including radios, cameras, recording devices (both audio and video) and specially authorized restricted or prohibited articles, such as replica weapons or simulated explosive devices;
  - (5) issue notices of deficiencies and/or recommendations, as appropriate;
  - (6) enforce corrective actions, including immediate rectification of any deficiencies, and/or apply enforcement measures; and
  - (7) enforce all relevant national aviation security requirements.
- (c) Monitoring shall be undertaken in accordance with the approved National Civil Aviation Security Quality Control Programme, 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.

- (d) The management, setting of priorities and organisation of the Quality Control Programme shall be undertaken independently from the operational implementation of the measures taken under the National Civil Aviation Security Programme.
- (e) The CAA-B may in writing require any entity or person who;
  - (1) is required to hold an aviation security programme;
  - (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 CAA-B considers necessary in the interests of civil aviation security.
- (f) The CAA-B 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.
- (g) For the purpose of any inspection, audit or monitoring carried out in respect of any entity or person under paragraph (e) the CAA-B may in writing require from such entity or person such information as is considered relevant to the inspection, audit or the monitoring.

**12.3 Qualification Criteria for Security Auditors**

- (a) The CAA-B shall ensure that auditors performing functions on behalf of the CAA-B 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 Programme 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.

**12.4 Power of Investigation**

- (a) The CAA-B may, in writing, require any holder of an approved aviation security programme to undergo an investigation conducted by the CAA-B if the CAA-B believes, on

reasonable grounds, that it is necessary in the interests of civil aviation security, or if the CAA-B;

- (1) has reasonable grounds to believe that the holder has failed to comply with any conditions of an aviation security programme; or
  - (2) considers that the privileges or duties for which the security programme has been approved, are being carried out by the holder in a careless or incompetent manner.
- (b) If the CAA-B requires a holder of an approved security programme to undergo an investigation, the CAA-B 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.

### 12.5 Obstruction of Authorised Persons

- (a) In addition to the related requirements of the Civil Aviation Act, any person who obstructs or impedes (e.g. by hindering or delaying) a security auditor or any person who is duly authorised by the CAA-B and acting in the performance or exercise of any functions, duties, or powers conferred on him or her under CAR SEC or the applicable directives of this CAP, 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 CAA-B credential or identification.

### 12.6 Power to Suspend Security Programme

- (a) The CAA-B may suspend any approved aviation security programme or impose conditions in respect of any such security programme if the CAA-B considers such action necessary in the interest of security, and if the CAA-B;
- (1) considers such action necessary to ensure compliance with the requirements of CAR SEC or the applicable directives of this CAP;

- (2) is satisfied that the holder has failed to comply with any conditions of an aviation security programme; or
- (3) considers that the privileges or duties for which the security programme has been approved are being carried out by the holder in a careless or incompetent manner.

## 12.7 General Power of Entry

- (a) For the purpose of carrying out the auditor functions, duties, or powers specified in this CAP and in the related requirements of the Civil Aviation Act, a security auditor or any person duly authorised by the CAA-B 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 CAA-B who has reasonable grounds to believe that:
  - (1) any breach of the requirements of CAR SEC or the applicable directives of this CAP is being or about to be committed;
  - (2) a condition imposed under any civil aviation security programme 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

may enforce corrective actions, including immediate rectification of any deficiencies, and/or apply enforcement measures.

- (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 (b);
  - (1) may require any person who is in possession of an aviation security programme, or of any certificate, book, manual, record, list, notice, or other document that is required to be kept, 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 (b) above 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) 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 (b) shall carry a proof of identity and CAA-B, issued by the CAA-B specifying;
  - (1) the name and the office or offices held by the person; and
  - (2) that the person is authorised by the CAA-B 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.

## 12.8 Notification of Audits

- (a) The CAA-B 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 CAA-B shall notify the appropriate airport CAA-B accordingly.
- (c) When giving notice of an audit to the facility operator or service provider being audited, the CAA-B 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 programme;
  - (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 CAA-B's security auditors.
- (d) The completed questionnaire and the documents requested shall be submitted to the CAA-B within four (4) weeks of receipt of the audit notification.

### 12.9 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 Programme and relevant facility or service provider security programme.
- (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 CAA-B and an airport identification card allowing access to all areas required for inspection and audit purposes.
- (d) 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.

### 12.10 Failure to Comply With Inspection or Audit Request

- (a) Any person who, without reasonable cause, fails to comply with an inspection or audit request 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.

### 12.11 Inspection or Audit Report

- (a) Within 14 working days of completion of an inspection or audit, an appropriate report shall be communicated by the CAA-B 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 programme, and the requirements of the national civil aviation security programme, the following classifications shall apply;
  - (1) Category 1 Compliance - meets the requirements of the NCASP;
  - (2) Category 2 Non-Compliance - does not meet the requirements of the NCASP however the deficiencies are moderate and require little improvement;



- (3) Category 3 Non-Compliance - does not meet the requirements of the NCASP; deficiencies are considered serious and may require temporary stopgap followed by a more permanent resolution defined in a Corrective Action Plan;
- (4) Category 4 Non-Compliance - does not meet the requirements of the NCASP; deficiencies are considered serious and require immediate corrective action;
- (5) Not Applicable - Compliance measures/procedure does not exist at given entity (off-airport processes e.g. check-in, catering, mail); and
- (6) Not Confirmed - Report of non-compliance is not substantiated by investigation.

**12.12 Facility Operator or Service Provider Answer**

- (a) Within 14 working days of the date of dispatch of an inspection or audit report, the facility operator or service provider shall submit in writing to the CAA-B 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.



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## APPENDIX 1

## 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.



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