

PART V

REGULATED AGENT SECURITY

*Aviation Security Responsibilities of a Regulated Agent*

61. (1) A regulated agent prior to accepting goods for transport in an aircraft shall—

Responsibilities  
of a regulated  
agent

- (a) establish and register the name and address of the consignor;
- (b) establish the credentials of the person who delivers the goods as an agent of the consignor;
- (c) ensure on the basis of random checks or security screening that such goods do not contain any prohibited items;
- (d) ensure the safeguarding of such goods from unauthorized interference after acceptance from the point security controls are applied until departure of the aircraft;
- (e) ensure the goods are received by staff who are properly recruited and trained by him in accordance with his approved Regulated Agent Security Programme;
- (f) designate a person as Security Coordinator to implement and supervise the screening process;
- (g) ensure that the following categories of goods are not carried by air unless they have been subjected to screening;
  - (i) unaccompanied baggage;
  - (ii) goods from unknown consignors; and
  - (iii) goods for which the contents do not coincide with the description delivered; and
- (h) ensure that each shipment of goods be accompanied by documentation providing the statement of the security status of such shipment.

(2) An approved regulated agent who offers goods to an aircraft operator for transport by aircraft shall produce and make available to the aircraft operator, and the Authority on demand, shipping documents, records of goods accepted and offered for air transport, employee training records and airway bills.

***Responsibility of the Aircraft Operator Receiving Goods  
from a Regulated Agent***

Responsibility  
of the aircraft  
operator where  
receiving goods  
from a regulated  
agent

62. (1) An aircraft operator accepting goods for transport on his aircraft—
- (a) may conduct screening of such shipments of goods; and
  - (b) shall ensure—
    - (i) the safeguarding of such goods against unlawful interference until such goods have been placed in the aircraft;
    - (ii) that his shipments of goods are recorded; and
    - (iii) that whenever the goods are received from an approved regulated agent such goods are delivered by an authorized employee of such regulated agent.
- (2) 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 Security Declaration.
- (3) An aircraft operator shall not accept any goods, from a regulated agent, for transport by aircraft unless initially and within the preceding twelve months prior to accepting the goods, the aircraft operator—
- (a) has inspected facilities and procedures of such regulated agent;
  - (b) has issued a letter to the regulated agent either accepting him or renewing his acceptance as a regulated agent for the purposes of the transport of goods through the national aircraft operator; and
  - (c) assures the security of the goods in accordance with the procedures approved by the national aircraft operator.
- (4) An aircraft operator shall require an approved regulated agent to comply with the Technical Instructions.
- (5) An aircraft operator shall make available to the Director General a report of any incident where an air waybill or equivalent document did not provide an accurate record of the goods being offered for air transport.
- (6) An aircraft operator, except as provided in the Technical Instructions, shall not place in an aircraft any goods that are not acceptable.
- (7) An aircraft operator shall preserve for not less than one year any record of acceptance checklists and inspections carried out under this Part.

***Inspection of Goods Offered for Transport by Regulated Agent***

63. (1) An aircraft operator may inspect any goods or any package, or container having goods offered for transport by air by a regulated agent.

Inspection of  
goods offered  
for transport  
by regulated  
agent

(2) Where an inspection is conducted pursuant to subregulation (1), a regulated agent or a representative of the regulated agent may observe the inspection.

(3) 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 national aircraft operator.

(4) Where an inspection is conducted by an aircraft operator pursuant to subregulation (1), the package, container or goods shall remain in possession of the national aircraft operator until after the inspection is complete.

(5) Where an inspection of goods under this regulation provides evidence of a breach of this Part, the national aircraft operator shall maintain possession of the goods offered for air transport by a regulated agent and the air waybill and inform the Authority in the prescribed form.

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