

SWAZILAND GOVERNMENT GAZETTE EXTRAORDINARY

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CIVIL AVIATION AUTHORITY ACT, 2009
(Act No. 10 of 2009)

CIVIL AVIATION AUTHORITY (SECURITY) REGULATIONS, 2011
(Under section 104)

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PART I
PRELIMINARY

In exercise of the powers conferred by section 104 of the Civil Aviation Authority Act, 2009, the Minister of Public Works and Transport makes the following regulations-

Citation and commencement

1. These regulations may be cited as the Civil Aviation Authority (Security) Regulations, 2011, and shall come into force on the date of publication in the Gazette.

Interpretation

2. In these regulations, unless the context otherwise requires, words or expressions used in the Act have the same meaning as in these Regulations, and-

“act of unlawful interference” means an act or attempted act to jeopardise the safety of civil aviation and air transport, including –

- (a) unlawful seizure of an aircraft in flight or on the ground;
- (b) hostage taking on board an aircraft or at an airport;
- (c) forcible intrusion on board an aircraft at an airport or on the premises of an aeronautical facility;
- (d) introduction on board an aircraft or at an airport, of a weapon or hazardous device or material intended for criminal purposes;

- (e) unauthorised possession, at an airport, or unauthorised introduction on board an aircraft, of a weapon or hazardous device or material;
- (f) destroying or damaging air navigation facilities or interfering with their operation, if any such act is likely to endanger the safety of aircraft in flight;
- (g) violence against a person on board an aircraft in flight if that act is likely to endanger the safety of that aircraft;
- (h) destroying an aircraft in service or causing damage to the aircraft which renders it incapable of flight or which is likely to endanger its safety in flight;
- (i) communicating information which is known to be false, thereby endangering 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;
- (j) unlawfully and intentionally using any device, substance or weapon-
 - (i) to perform an act of violence against a person at an airport which causes or is likely to cause serious injury or death;
 - (ii) to destroy or seriously damage the facilities of an airport or an aircraft not in service located at the airport or disrupting services at an airport, if that act endangers or is likely to endanger safety at that airport;

“aircraft” means an aircraft engaged in civil aviation operations;

“airport” means a defined area on land or water, including any buildings, installations and equipment, intended to be used either wholly or in part for the arrival, departure and surface movement of aircraft, and includes an aerodrome;

“airport operator” includes an individual, organisation or enterprise, however designated, for the time being responsible for the administration and operation of an airport;

“airport security permit” means a permit issued under regulation 26;

“airside” means the movement area of an airport, adjacent terrain and buildings or portions thereof, access to which is controlled;

“authorised person” means a person designated by the Authority under regulation 8 to be an authorised person for the purposes of these Regulations;

“Authority” means the Civil Aviation Authority established by the Civil Aviation Authority Act 2009;

“aviation security officer” means a person employed by the Authority or operator of an airport as an aviation security officer or any other security officer authorised by the Authority;

“background check” means a check of the identity of a person and previous experience, including, where legally permissible, any criminal history as part of the assessment of the suitability of that individual to implement a security control or for that person to have unescorted access to a security restricted area;

“cargo” means any property carried on an aircraft other than mail stores and accompanied or mishandled baggage;

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

“catering supplies” means all food, beverages, other dry stores and associated equipment used in air transport;

“certified” means a formal evaluation and confirmation by or on behalf of the Authority that a person possesses the necessary competencies to perform assigned functions to an acceptable level as defined by the Authority;

“civil aviation” includes commercial air transport operations and general aviation operations;

“commercial air transport operations” means aircraft operations involving the transport of passengers, cargo or mail for remuneration or hire;

“disruptive passenger” means a passenger who fails to comply with the rules of conduct at an airport or on board an aircraft or to follow the instructions of the airport staff or aircraft crew members;

“general aviation operation” means an aircraft operation other than a commercial air transport operation or an aerial work operation;

“goods” includes cargo and mail;

“landside” means an area of an airport and buildings which can be accessed by members of the public who are not traveling;

“mail” means dispatches of correspondence and other items tendered and intended for delivery to postal services in accordance with the rules of the Universal Postal Union (UPU);

“operator” includes an airport operator, an aircraft operator, a regulated agent and a catering operator;

“prohibited item” means an item prescribed in regulation 38 and which can be used to commit an act of unlawful interference;

“regulated agent” means an agent, freight forwarder or other entity who conducts business with an operator and provides security controls that are accepted or required by the Authority;

“sabotage” means an act or omission, intended to cause malicious or wanton destruction of property, endangering or resulting in unlawful interference with civil aviation and its facilities;

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

“security” means safeguarding civil aviation against acts of unlawful interference through a combination of measures and human and material resources;

“security audit” means an in-depth compliance examination of all aspects of the implementation of the civil aviation security programme;

“security control” means the prevention of the introduction of weapons, explosives or other dangerous devices, articles or substances which may be used to commit an act of unlawful interference;

“security inspection” means an examination of the implementation of relevant civil aviation security programme requirements by an airline, airport, or other entity involved in security;

“security restricted area” means airside areas of an airport which are identified as priority risk areas where, in addition to access control, other security controls are applied and includes, inter alia, all passenger departure areas between the screening checkpoint and the aircraft, the ramp, baggage make-up areas, including those where aircraft are being brought into service and screened baggage and cargo are present, cargo sheds, mail centres, airside catering and aircraft cleaning premises;

“security 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 actions;

“security test” means a covert or overt trial of an aviation security measure which simulates an attempt to commit an unlawful act;

“technical instructions” means the International Civil Aviation Organisation (ICAO) Technical Instructions for the Safe Transportation of Dangerous Goods by Air;

“unidentified baggage” means baggage at an airport, with or without a baggage tag which is not picked by or identified with a passenger, and includes unattended baggage;

“unknown stores” means supplies and stores that have not been subjected to appropriate security controls.

Non-Application

3. These Regulations do not apply to state aircraft, military or police aviation operations.

PART II

CIVIL AVIATION SECURITY AND REGULATORY DIVISION

Functions of the Civil Aviation Security Regulatory Division

4. (1) There shall be a Civil Aviation Security and Regulatory Division in the Authority.

(2) The functions of the Division shall be to-

- (a) establish and administer a national aviation security programme;
- (b) establish and administer the civil aviation security quality control programme;
- (c) establish and administer the national civil aviation security training programme;
- (d) develop and implement practices and procedures and make regulations to ensure compliance with international and national standards;

- (e) review and ensure the adequacy of security programmes and associated documentation produced by airports and operators;
- (f) conduct surveys, inspections, tests and investigations of security standards and operating procedures of airports and operators;
- (g) inspect or detain any aircraft registered or operating in the Kingdom for the purposes of inspecting and security procedure;
- (h) inspect any part of any airport in the Kingdom;
- (i) inspect any aerodrome, facility or land at the airport or outside the airport used by a business that operates on the airport or enter restricted security areas, and subject any property found within these areas to tests;
- (j) investigate and test the effectiveness of security practices and procedure;
- (k) require an aircraft operator, airport manager or occupier of land outside the airport used for business purposes connected with the airport to provide information relevant to internal audits, inspections, surveys, tests or investigations;
- (l) enter on any land or building for the purpose of inspecting an aircraft or aircraft operator or land outside an airport occupied for business purposes connected with the airport or aircraft operator;
- (m) take into an airport, airside area or into baggage or into any designated security restricted area, and use any equipment necessary to carry out their duties, including for example radios, cameras, audio and video recording devices, authorised weapons or simulated explosive devices for the purpose of inspecting and testing;

- (n) ask any questions about aviation security to any person they consider may assist them in assessing the standard of security or implementation of security procedures;
 - (o) monitor and enforce the implementation of aviation security measures by airports, aircraft operators, cargo operators, catering services and other entities to ensure compliance with aviation security regulations; and
 - (p) foster and ensure good working relationships, co-operation and exchange of relevant information and experience with other countries.
- (3) The Division shall-
- (a) be responsible for the regulation of civil aviation security;
 - (b) regulate the security operations of airports, aircraft, regulated agents and catering operators to-
 - (i) protect passengers, crew members, airports, and other aviation facilities;
 - (ii) prevent unlawful interference against civil aviation; and
 - (iii) ensure that appropriate action is taken where an act of unlawful interference occurs or is likely to occur;
 - (c) define and allocate tasks and coordinate activities under the Civil Aviation Security Programme between ministries, departments, agencies and other organizations responsible for the various aspects of aviation security.

Power to access and inspect airport, aircraft and premises.

5. The Security Regulatory Division shall have free and unobstructed access at all times to an airport, an aircraft operating from or within Swaziland, and the premises of an operator within Swaziland, for the purpose of inspecting security operations or to carry out security inspections and surveys, safety and security audits and testing functions.

Authorised persons.

6. The Security Regulatory Division may, in writing, designate qualified persons, whether by name or by title of office, to be authorised persons for the purposes of these Regulations and shall state the functions and limits of operation of the authorized persons.

PART III

AVIATION SECURITY PROGRAMMES

National civil aviation security programme

7. The Director General shall-

- (a) apply standards and endeavour to apply the recommended practices contained in Annex 17 to the convention on international civil aviation;
- (b) ensure that the measures designed to safeguard against acts of unlawful interference are applied to domestic operations to the extent practicable, based upon a security risk assessment carried out by the appropriate authority;
- (c) ensure that requests from other countries for additional security measures in respect of a specific flight(s) by operators of such other countries are met as far as may be practicable;
- (d) co-operate with other countries in the development and exchange of information concerning national civil aviation security programmes, training programmes and quality control programmes;

- (e) establish and implement procedures to share with other countries threat information that applies to the aviation security interests of those countries, to the extent practicable;
- (f) establish and implement suitable protection and handling procedures for security information shared by other countries, or security information that affects the interests of other countries, in order to ensure that inappropriate use or disclosure of such information is avoided;
- (g) establish and implement a written national civil aviation security programme to safeguard civil aviation operations against acts of unlawful interference, through regulations, practices and procedures which take into account the safety, regularity and efficiency of flights;
- (h) designate and specify to ICAO an appropriate authority within its administration to be responsible for the development, implementation and maintenance of the national civil aviation security programme;
- (i) keep under constant review the level of threat to civil aviation within the country and establish and implement policies and procedures based upon risk assessment carried out by the appropriate authority;
- (j) define and allocate tasks and coordinate activities between the departments, agencies and other organizations of the State, airport and aircraft operators and other entities concerned with the implementation of the national civil aviation security programme;
- (k) establish a national civil aviation security committee for the purpose of coordinating security activities;
- (l) ensure the development and implementation of the national training programme for personnel of all entities involved in the implementation of the national civil aviation security programme;
- (m) arrange for the supporting resources and facilities required by the aviation security services to be available at each airport serving civil aviation;

- (n) require each airport serving international civil aviation to establish, implement and maintain a written airport security programme appropriate to meet the requirements of the national civil aviation security programme;
- (o) ensure that there is an authority at each airport responsible for coordinating the implementation of security controls;
- (p) ensure that an airport security committee is established at each airport serving international civil aviation;
- (q) ensure that airport design requirements, including architectural and infrastructure-related requirements necessary for the implementation of the security measures in the national civil aviation security programme are integrated in the design and construction of new facilities and alterations of existing facilities;
- (r) ensure that commercial air transport operators providing service from Swaziland have established, implemented and maintained a written operator security programme;
- (s) ensure that the persons implementing security controls are subject to background checks and selection procedures;
- (t) ensure that the persons implementing security controls possess all competencies required to perform their duties and are appropriately trained according to the requirements of the national civil aviation security programme and that appropriate records are maintained;
- (u) ensure that the persons carrying out screening operations are certified according to the requirements of the civil aviation security programme;
- (v) develop, maintain and implement the national civil aviation security quality control programme to determine compliance with and validate the effectiveness of the national civil aviation security programme;

- (w) ensure that the implementation of security measures is regularly subjected to verification of compliance with the national civil aviation security programme;
- (x) arrange for security audits, tests, surveys and inspections to be conducted on a regular basis, to verify compliance with the national civil aviation security programme;
- (y) ensure that the management, setting of priorities and organisation of the national civil aviation security quality control programme shall be undertaken independently from the entities and persons responsible for the implementation of the measures taken under the national civil aviation security programme;
- (z) ensure that the personnel carrying out security audits, tests, surveys and inspections are trained to appropriate standards for these tasks in accordance with the national civil aviation security programme;
 - (aa) ensure that the personnel carrying out security audits, tests, surveys and inspections are afforded the necessary authority to obtain information to carry out these tasks and to enforce corrective actions;
 - (bb) re-evaluates security controls and procedures and takes action to remedy the weaknesses;
 - (cc) establish measures to prevent weapons, explosives or any other dangerous devices, articles or substances, which may be used to commit an act of unlawful interference, the carriage or bearing of which is not authorised, from being introduced on board an aircraft engaged in civil aviation;
 - (dd) ensure that the access to airside areas at airports serving civil aviation is controlled in order to prevent unauthorised entry;
 - (ee) ensure that security restricted areas are established at each airport serving civil aviation;

- (ff) ensure that identification systems are established in respect of persons and vehicles in order to prevent unauthorised access to airside areas and security restricted areas;
- (gg) ensure that background checks are conducted on persons other than passengers granted unescorted access to security restricted areas of the airport prior to granting access to security restricted areas;
- (hh) ensure that the movement of persons and vehicles to and from the aircraft is supervised in security restricted areas in order to prevent unauthorised access to aircraft;
- (ii) ensure that all persons accessing the airside are security screened;
- (jj) ensure that aircraft security checks of originating aircraft engaged in commercial air transport movements are performed or an aircraft security search is carried out;
- (kk) ensure that measures are taken to ensure that passengers of commercial flights disembarking from the aircraft at any time do not leave items on board the aircraft;
- (ll) require commercial air transport operators to take appropriate measures to ensure that during flight unauthorised persons are prevented from entering the flight crew compartment;
- (mm) ensure that an originating aircraft is protected from unauthorised interference from the time the aircraft search or check has commenced until the aircraft departs;
- (nn) establish measures to ensure that originating passengers of commercial air transport operations and their cabin baggage are screened prior to boarding an aircraft departing from a security restricted area;

- (oo) ensure that passengers of commercial air transport operations and their cabin baggage are screened prior to boarding an aircraft;
- (pp) ensure that passengers and their cabin baggage, which have been screened, are protected from unauthorised interference from the point of screening until they board their aircraft and where mixing occurs passengers, and their cabin baggage shall be re-screened;
- (rr) establish at an airport, measures for transit operations to protect transit passengers, cabin baggage from unauthorised interference and protect the integrity of the security of the airport of transit;
- (ss) establish measures to ensure that originating hold baggage is screened prior to being loaded into an aircraft engaged in commercial air operations departing from a security restricted area;
- (tt) ensure that all hold baggage to be carried on a commercial aircraft is protected from unauthorised interference from the point it is screened or accepted into the care of the carrier until departure of the aircraft on which it is to be carried;
 - (uu) ensure that commercial air transport operators do not transport the baggage of passengers who are not on board the aircraft unless that baggage is identified as unaccompanied and subjected to additional screening;
- (vv) ensure that transfer hold baggage is screened prior to being loaded onto an aircraft engaged in commercial air transport operations;
- (ww) ensure that aircraft of commercial air transport operators only transport items of hold baggage which have been individually identified as accompanied or unaccompanied, screened to the appropriate standard and accepted for carriage on that flight by the air carrier;

- (xx) ensure that security controls are applied to cargo and mail, prior to them being loaded onto an aircraft engaged in passenger commercial air transport operations;
- (yy) ensure that cargo and mail to be carried on a passenger commercial aircraft is protected from unauthorised interference from the point security controls are applied until departure of the aircraft;
- (zz) establish a process of approval of regulated agents involved in implementing security controls;
 - (aaa) ensure that operators do not accept cargo or mail for carriage in an aircraft engaged in passenger air transport operations unless the application of security controls is confirmed and accounted for by a regulated agent, or such consignments are subjected to appropriate security controls;
 - (bbb) ensure that catering stores and supplies intended for carriage on passenger commercial flights are subjected to appropriate security controls and thereafter protected until loaded onto the aircraft;
 - (ccc) develop requirements for the carriage of potentially disruptive passengers who are obliged to travel because they have been the subject of judicial or administrative proceedings;
 - (ddd) ensure that operators providing service include in their security programmes, measures and procedures to ensure safety on board their aircraft when passengers are to be carried who are obliged to travel because they have been the subject of judicial or administrative proceedings;
 - (eee) ensure that the aircraft operator and the pilot-in-command are informed when passengers are obliged to travel because they have been the subject of judicial or administrative proceedings, in order that appropriate security controls can be applied;

- (fff) ensure that the carriage of weapons on board aircraft by law enforcement officers and other authorised persons, acting in the performance of their duties, is subject to special authorisation;
- (ggg) consider requests by another country to allow the travel of armed personnel, including in-flight security officers, on board aircraft of operators of the requesting country;
- (hhh) ensure that the carriage of weapons in other cases is allowed only when an authorised and duly qualified person has determined that they are not loaded, and only if stored in a place inaccessible to any person during flight time;
- (iii) ensure that in-flight security officers are government personnel who are specially selected and trained;
- (jjj) ensure that the pilot-in-command is notified as to the number of armed persons and their seat location;
- (kkk) establish measures, when reliable information exists that an aircraft may be subjected to an act of unlawful interference, to safeguard the aircraft if it is still on the ground and to provide as much prior notification as possible of the arrival of such aircraft to relevant airport authorities and air traffic services of the countries concerned if the aircraft has already departed;
- (lll) ensure, when reliable information exists that aircraft may be subjected to an act of unlawful interference, that the aircraft is searched for concealed weapons, explosives or other dangerous devices, articles or substances;
- (mmm) ensure that arrangements are made to investigate, render safe and/or dispose of, if necessary, suspected dangerous devices at airports;

- (nnn) ensure that contingency plans are developed and tested on a regular basis and that resources are made available to safeguard civil aviation against acts of unlawful interference;
- (ooo) ensure that authorised and suitably trained personnel are readily available for deployment at airports serving civil aviation to deal with suspected or actual cases of unlawful interference;
- (ppp) take appropriate measures for the safety of passengers and crew of an aircraft, which is subjected to an act of unlawful interference, while the aircraft is still on the ground;
- (qqq) collect all pertinent information on an aircraft subjected to an act of unlawful interference and transmit that information to all other States responsible for the Air Traffic Services units concerned;
- (rrr) provide assistance to an aircraft subjected to an act of unlawful seizure, including the provision of navigation aids, air traffic services and permission to land as may be necessitated by the circumstances;
- (sss) take measures, as it may find practicable, to ensure that an aircraft subjected to an act of unlawful seizure which has landed in its territory is detained on the ground unless it is necessitated by the overriding duty to protect human life;
- (ttt) ensure that when an aircraft subjected to an act of unlawful interference has landed the country notifies, by the most expeditious means the State of Registry of the aircraft and the State of the Operator, of the landing, and shall similarly transmit by the most expeditious means all other relevant information to-
 - (i) the two above-mentioned States;
 - (ii) each State whose citizens suffered fatalities or injuries;
 - (iii) each State whose citizens were detained as hostages;

- (iv) each State whose citizens are known to be on board the aircraft; and;
- (v) the International Civil Aviation Organization (ICAO);
- (uuu) provide ICAO with pertinent information concerning the security aspects of the act of unlawful interference as soon as practicable after the act is resolved; and
- (vvv) establish procedures to implement the above provisions.

Aerodrome security programme

8. (1) The Director-General shall ensure that, through the Aviation Security Policy and Regulatory Division, every designated aerodrome providing a civil aviation service shall establish an aerodrome security programme adequate to the needs of its air traffic.

(2) The airport manager shall be responsible for co-ordinating the implementation of the aerodrome security programme and the contingency plans to safeguard civil aviation against acts of unlawful interference.

Prohibition of operation of air transport service without approved operator's security programme

9. (1) No operator of a public air transport service that operates to, from or within Swaziland shall cause or permit an aircraft used in that service to fly over Swaziland or land or take off from an aerodrome in Swaziland unless an operator's security programme has been approved by the Director-General in relation to that aircraft, any passenger, baggage mail, aircraft supplies or other cargo on board that aircraft.

(2) Detailed requirements of the airport security programme shall be contained in the National Civil Aviation Security Programme.

Submission of proposed operator security programme

10. (1) Every operator of a public air transport service shall submit to the Director- General, for approval, an application for a proposed operator security programme in Form A.S. 1.

(2) A proposed operator security programme referred to in sub-regulation (1) shall specify the practices and procedures to be followed by the operator for the purposes of-

- (a) ensuring that the cockpit doors of an aircraft engaged in civil aviation operations are reinforced and always locked during the flight;
- (b) ensuring that unauthorised persons are prevented from entering the cockpit or the flight deck of an aircraft during the flight;
- (c) preventing the unlawful carriage, whether on a person or in the baggage, mail or other cargo, of any firearm, ammunition, weapon, incendiary device or explosive or other substance or thing that by reason of its nature or condition, may endanger the safety of the aircraft or the persons or property on board the aircraft in an air service conducted by the operator;
- (d) preventing any person from having unlawful access to the aircraft;
- (e) ensuring that all baggage, mail and other cargo to be taken on board an aircraft is accepted for the purpose only by an employee or other duly authorised agent or representative of the operator;
- (f) preventing baggage, mail and other cargo from being taken on board an aircraft except in accordance with specified security procedures;
- (g) protecting the aircraft, persons and property in the event of a threat or warning having been received or when otherwise there is reason to believe that there exists a danger to the safety of those persons or property;

- (h) ensuring-
- (i) that passengers disembarking from any aircraft do not leave items on board the aircraft;
 - (ii) in the case of service in Swaziland, that the baggage of passengers who are not on board the aircraft is not transported unless that baggage is subject to other security control measures;
 - (iii) that all passengers and their cabin baggage or hand baggage are screened prior to boarding or being loaded in an aircraft;
 - (iv) the safe conduct of a flight where one or more persons are allowed to carry a firearm;
 - (v) that all aircraft security checks of originating aircraft, whether on domestic or international flights are performed;
 - (vi) that aircraft security checks of originating aircraft engaged in commercial air transport movements are performed or an aircraft security search is carried out;
 - (vii) that measures are taken to ensure that passengers of commercial flights disembarking from the aircraft at any time do not leave items on board the aircraft;
 - (viii) that appropriate measures are taken to ensure that during flight unauthorised persons are prevented from entering the flight crew compartment;
 - (ix) that an originating aircraft is protected from unauthorised interference from the time the aircraft search or check has commenced until the aircraft departs;
 - (x) that originating passengers of commercial air transport and their cabin baggage are screened prior to boarding an aircraft departing from a security restricted area;

- (xi) that passengers of commercial air transport and their cabin baggage are screened prior to boarding an aircraft; and
- (xii) that passengers and their cabin baggage, which have been screened, are protected from unauthorised interference from the point of screening until they board the aircraft and where mixing occurs, the passengers and their cabin baggage shall be re-screened;
- (xiii) that originating hold baggage is screened prior to being loaded into an aircraft departing from a security restricted area;
- (xiv) that all held baggage to be carried on a commercial aircraft is protected from unauthorised interference from the point it is screened or accepted into the care of the carrier until departure of the aircraft on which it is to be carried;
- (xv) that baggage of passengers who are not on board the aircraft is not transported, unless if that baggage is identified as unaccompanied and subjected to additional screening;
- (xvi) that transfer hold baggage is screened prior to being loaded into an aircraft;
- (xvii) that only items of hold baggage which have been individually identified as accompanied or unaccompanied, and is screened to the appropriate standard and accepted for carriage on that flight by the air carrier is transported;
- (xviii) that security controls are applied to cargo and mail, prior to them being loaded onto an aircraft;
- (xix) that cargo and mail to be carried on a passenger commercial aircraft is protected from unauthorised interference from the point security controls are applied until departure of the aircraft; and

(xx) that only cargo and mail whose security controls are accounted for by a regulated agent or has been subjected to appropriate security controls, shall be accepted for carriage in an aircraft engaged in passenger air transport operations;

(i) providing procedures to be followed by flight crews in the event of a hijacking, bomb threats or other acts of unlawful interference; and

(j) controlling transfer and transit passengers and their cabin baggage to prevent unauthorised articles from being taken on board an aircraft.

(3) The operator security programme shall as far as possible comply with the International Civil Aviation Organisation's Model Security Programme set out in the Third Schedule.

(4) Every operator who is providing an air transport service immediately before the commencement of these regulations shall within one month of the date of commencement of these regulations, submit an operator security programme to the Director-General in terms of this regulation.

(5) Where an operator security programme is submitted to the Director-General within the period specified in sub-regulation (4), the operator may continue to conduct the services of the operator in all respects as if the programme is approved until it is finally determined.

Approval or refusal of security programme

11. On receipt of a security programme submitted in terms of regulation 10 by an operator, the Director-General shall, by notice in writing, and depending on whether or not the proposed programme meets the requirements of regulation 10, either approve the programme or refuse to approve the programme.

Direction to vary security programme

12. (1) Where the Director-General is of the opinion that a security programme submitted is not adequate or a security programme approved by the Director-General in terms of regulation 11 is no longer adequate for the purposes specified by regulation 10, the Director-General may, by notice in writing to the operator, direct the operator to vary the programme by reference to the practices and procedures to be followed or in such other manner as the Director-General may specify.

(2) An operator shall comply with a directive issued under sub-regulation (1) within 30 days of receiving the directive.

(3) Where an operator fails to comply with a directive given in terms of sub-regulation (1), the Director-General shall, by notice in writing to the operator, refuse to approve the programme or cancel the approval of the programme.

Review of security programme by operator

13. (1) Where a security programme has been approved, the operator shall from time to time review the programme.

(2) In reviewing the programme the operator shall have regard to developments in Swaziland and other countries of the current practices and procedures followed in aviation security.

(3) Where the operator is of the opinion that-

(a) the security programme of the operator is not adequate for the purposes specified in regulation 10; or

(b) the efficiency of the security programme in relation to those purposes could be substantially improved,

the operator shall submit to the Director-General for approval, a proposal for an amendment of the security programme as the operator considers appropriate.

(4) On receipt of the proposals submitted in terms of sub-regulation (3), the Director-General, if satisfied that the proposals shall, if implemented, make the programme adequate for the purposes specified in regulation 10 or be a substantial improvement in the efficiency of the programme, by notice in writing to the operator, approve the proposals.

Review of security programme by Director-General

14. The Director-General, through the policy and regulatory division, shall, at intervals of not more than twelve months, review an operator's security programme in order to determine whether the programme continues to be adequate for the purposes specified in regulation 10.

Prohibition of operation of air transport service without approved operator security programme

15. An operator of a public air transport service that operates to, from or within Swaziland shall not cause or permit an aircraft used in that service to-

- (a) fly over Swaziland; or
- (b) land or take off from an aerodrome in Swaziland;

unless an operator security programme has been approved by the Director-General in relation to that aircraft, any passenger, baggage mail, aircraft supplies or other cargo on board that aircraft.

Regulated Agent Security Programme

16. (1) No person shall operate an enterprise or an organization whose purpose is the movement of cargo, mail, baggage or goods by air within or from Swaziland without a Regulated Agent Security Programme approved by the Authority and a certificate issued by the Authority.

- (2) A Regulated Agent Security Programme shall contain-
 - (a) provisions to meet the requirements of the Civil Aviation Security Programme and these Regulations; and
 - (b) provisions to respond to orders, circulars and directives issued by the Authority;
 - (c) details of how the regulated agent plans to meet and maintain the requirements set out in the Regulated Agent Security Programme;

- (d) procedures for-
 - (i) ensuring appropriate security control of goods;
 - (ii) ensuring the security of buildings, premises, transport facilities and access control;
 - (iii) recruitment and training of staff involved in the implementation of security controls;
 - (iv) incident reporting;
- (e) any other matter prescribed by the Authority.

(3) A Regulated Agent Security Programme shall be set out in the manner prescribed in the Civil Aviation Security Programme.

Catering Operator Security Programme.

17. (1) No person shall operate an enterprise or an organization whose purpose is the direct provision to commercial air transport of catering supplies and stores within or from Swaziland, without a Catering Operator Security Programme approved by the Authority and a certificate issued by the Authority.

- (2) A Catering Operator Security Programme shall contain-
 - (a) provisions to meet the requirements of the Civil Aviation Security Programme and these Regulations;
 - (b) details of how the catering operator intends to comply with, and maintain the requirements set out in the Catering Operator Security Programme;
 - (c) procedures for-

- (i) ensuring appropriate security control of catering supplies;
- (ii) ensuring the security of buildings, premises and transport facilities;
- (iii) recruitment and training of staff involved in the implementation of security controls;
- (iv) reporting of incidents;
- (d) any other matter prescribed by the Authority.

Aviation security responsibilities of catering operators

18. (1) A catering operator shall, before accepting supplies and equipment for preparation as catering supplies for transport in an aircraft-

- (a) establish and register the name and address of the supplier of the supplies and equipment;
- (b) establish the credentials of the person who delivers the supplies and equipment as an agent of the supplier of the supplies and equipment;
- (c) ensure, on the basis of appropriate security controls or security screening, that the supplies and equipment do not contain any prohibited items;
- (d) ensure the safeguarding of the supplies and equipment from unauthorised interference after acceptance;
- (e) ensure that the supplies and equipment are received by staff that are properly recruited and trained by the operator;

- (f) designate a person to implement and supervise the screening process;
- (g) ensure that catering stores and supplies are not carried by air unless they have been subjected to screening;
- (h) ensure that each shipment of catering stores and supplies is accompanied by documentation providing the statement of the security status of the shipment;
- (i) ensure that persons engaged to implement security controls are subject to background checks and selection procedures and are capable of fulfilling their duties and are adequately trained; and
- (j) institute and implement adequate security controls, including background checks on persons other than passengers granted unescorted access to a security restricted area.

Regulated Agents

19. (1) A regulated agent shall, before accepting goods for transport in an aircraft-
- (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 appropriate security controls or security screening, that the goods do not contain any prohibited items;
 - (d) ensure the safeguarding of the goods from unauthorised interference after acceptance;
 - (e) ensure the goods are received by staff that are properly recruited and trained;

- (f) designate a person 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;
 - (iii) goods for which the contents are not consistent with the description delivered; and
- (h) ensure that each shipment of goods is accompanied by documentation providing the statement of the security status of the shipment.

(2) A 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.

(3) A regulated agent shall make available to the Authority a report of any irregularities in documents or records relating to goods being offered for air transport.

(4) All cargo and mail intended for carriage on passenger commercial flights shall be subjected to appropriate security controls by aircraft operators and regulated agents before being placed on board an aircraft.

Application for approval of security programme.

20. (1) Where a security programme is required to be approved by the Authority the applicant shall-

- (a) submit the programme to the Authority, and shall ensure that it meets the requirements of the Aviation Security Programme, these Regulations and any other relevant law; and
- (b) pay the fee prescribed by the Authority.

(2) A security programme submitted to the Authority for approval under this regulation shall be in duplicate and signed by the applicant or on behalf of the applicant.

Approval of a security programme.

21. (1) Where the Authority is satisfied that a security programme submitted under regulation 20 meets the requirements of these Regulations, the Civil Aviation Security Programme and any other relevant law, the Authority shall approve the programme within thirty days after receipt.

(2) Where the Authority determines that a security programme submitted under regulation 17 does not meet the requirements of these Regulations, the Civil Aviation Security Programme or relevant law, the Authority shall, within thirty days after receipt of the programme, direct the applicant to modify and re-submit the security programme to the Authority within thirty days after receipt of the programme by the applicant.

(3) The Airport Security Committee shall refer to the Civil Aviation Security Committee any matter relating to aviation security and which is within its functions, which cannot be resolved at the airport level.

PART IV

COMMITTEES

Establishment of National Civil Aviation Security Committee

22. There is hereby established a committee to be known as the National Civil Aviation Security Committee.

Constitution of committee

23. (1) The committee shall consist of not less than ten members who shall, subject to subsection (2), be appointed by the Minister.

(2) The committee shall consist of-

- (a) the Director General of the Authority;
- (b) the Principal Secretary of the ministry responsible for aviation matters or a representative of the Principal Secretary;
- (c) the Chairperson of the Air Transport Facilitation Committee;
- (d) the Principal Secretary of the ministry responsible for security or a representative of the Principal Secretary;
- (e) the Principal Secretary of the Ministry responsible for Home Affairs or a representative of the Principal Secretary;
- (f) the Commissioner of the Royal Swaziland Police or a representative of the Commissioner;
- (g) the Head of the Air force in the Umbutfo Swaziland Defence Forces or a representative of the Head;
- (h) the Chief Immigration Officer;
- (i) the Chairperson of the Board of Airline Representatives;

- (j) a representative of the Swaziland Association of Airline Operators;
- (k) the Principal Secretary of the Ministry of Information, Communications and Technology or a representative of the Principal Secretary; and
- (l) the Commissioner-General of the Swaziland Revenue Authority.

Term of office and quorum

24. (1) A member shall hold office for a period not exceeding three years, as the Minister may fix on appointment of that member and shall be eligible for reappointment.

(2) The quorum shall be five members.

Functions

25. The functions of the committee shall be-

(a) to co-ordinate activities between departments, agencies and other organizations concerned with or responsible for various aspects of the national aviation security programme;

(b) to advise the Minister on matters relating to aviation security and to recommend and review the effectiveness of security measures and procedures.

Meetings and procedure of committee

26. (1) The committee shall meet once in three months in each calendar year and shall regulate its meetings and procedure as it thinks fit.

(2) Meetings of the committee may be called at the instance of the Chairperson.

(3) The committee shall designate one of its members as vice-chairperson.

(4) The Chairperson, or in the absence of the Chairperson, the vice-chairperson shall preside at all meetings of the committee.

(5) If at a meeting of the committee the chairperson and the vice-chairperson are absent, the members present may elect one of their members to preside.

(6) The committee shall keep or cause to be kept proper records of the proceedings of the committee.

(7) If the chairperson is prevented for any reason, from exercising functions in terms of these regulations, the vice-chairperson shall exercise the functions and perform the duties of the chairperson.

(8) At all meetings of the committee, each member present shall have one vote on a question before the committee and, in the event of an equality of votes, the person presiding shall have, in addition to a deliberative vote, a casting vote.

(9) A resolution of the majority of the members present at a meeting of the committee shall be a resolution of the committee.

(10) A resolution of the committee shall form part of the minutes.

(11) Any member may require the person presiding at a meeting of the committee to direct that the dissent of the member from any resolution passed by the committee and the reasons for such dissent be recorded in the minutes of the meeting at which the resolution was passed.

Minister may give committee policy directions

27. The Minister may give the committee directions as to general matters of policy relating to the exercise by it of its functions as appear to the Minister to be necessary and the committee shall comply with any such directions.

Establishment of airport security committees

28. (1) The Director-General shall establish, at such airport as the Director-General considers appropriate, an airport security committee to advice on the development and co-ordination of the implementation of any aviation security measures and procedures between the various organizations concerned with, or responsible for various aspects of aviation security programmes.

(2) The Airport Security Committee shall-

- (a) where possible, consist of members from all agencies engaged in the operation of the airport and which contribute to the establishment and implementation of security measures;
- (b) establish-
 - (i) storage areas where mishandled baggage may be held after screening until forwarded claimed or disposed of;
 - (ii) bomb disposal areas where detected explosives may be disposed of;
 - (iii) person and vehicle identification systems;
- (d) institute and implement adequate security controls, including background checks on persons other than passengers, granted unescorted access to security restricted areas of the airport;
- (e) provide adequate supervision over the movement of persons and vehicles to and from the aircraft in order to prevent unauthorised access to aircraft;

- (f) investigate and dispose of, if necessary, of suspected sabotage devices or other potential hazards at the airport;
- (g) employ and deploy suitably trained personnel to assist in dealing with suspected or actual cases of unlawful interference;
- (h) conduct a full scale security emergency exercise that incorporates security scenarios at least once in every three years;
- (i) conduct a contingency plan exercise at least once in each year.

Constitution of committee

29. The Committee shall consist of not less than ten members of whom one shall be-

- (a) the airport manager who shall be the chairperson; and
- (b) the officer-in-charge of security who shall be secretary.

Term of office

30. A member shall hold office for such period, not exceeding three years, as the Director-General may fix on appointment and shall be eligible for re-appointment.

Quorum of committee

31. The quorum of the committee shall be five members.

Director General may give committee policy directions

32. The Director General may give the committee directions as to general matters of policy relating to the exercise by it of its functions as appear to the Director-General to be necessary and the committee shall comply with any such directions.

SECURITY SERVICE

Aviation Security Service

33. (1) There shall be an Aviation Security Service which shall form part of the Authority.

(2) The Director-General shall be responsible for the Aviation Security Service.

(3) The Director-General shall ensure that the Aviation Security Service provides a standard level of security for the operation of international and national flights.

(4) Members of the Aviation Security Service shall wear a uniform and appropriate identification documents.

Functions of the Aviation Security Service

34. (1) The Aviation Security Service shall be responsible for-

- (a) the prevention of the commission of crimes against civil aviation at all aerodromes and air navigational installations; and
- (b) the protection of persons and property from dangers arising from the commission or attempted commission of such crimes.

(2) The Aviation Security Service shall-

- (a) carry out passenger and baggage screening and undertake searches of passengers, baggage, cargo, aircraft, any building or any area, at an aerodrome or at any air navigation installation, and where it is necessary to search a female passenger, the search shall be conducted by a female aviation security officer and shall be conducted with strict regard to decency;
- (b) carry out aerodrome security patrols and patrols of any air navigation installations;

- (c) review, inquire into and keep itself informed on security techniques, systems, devices, practices and procedures related to the protection of civil aviation and the persons employed in or using it; and
- (d) undertake, or encourage or supervise any experimental or research work as the Director General may consider desirable; and
- (e) control pedestrian and vehicular traffic at any airport or air navigation installation; and
- (f) co-operate with the police, relevant government departments, operators and authorities administering the aviation security services of other countries and with any appropriate international organisations; and
- (g) exercise and perform any functions that may be directed by the Director-General.

Restricted areas

35. (1) Subject to subsection (2), no person other than an aviation security inspector or officer shall enter a restricted area unless authorised by the Director-General in terms of these regulations.

(2) A passenger embarking or disembarking directly through any gateway or thoroughfares provided for that purpose, or being in an arrivals hall, or transit or departure lounge for the purpose of embarking on or disembarking from an aircraft, shall be deemed to be authorized by the Director-General to be in a restricted area forming part of those gateways, arrivals halls, transit or departure lounges, as the case may be.

(3) Any person who is in a restricted area shall, on request by an aviation security inspector or officer, state their name and address, and the purpose of their presence in that area, and produce satisfactory evidence to confirm their identity.

(4) An aviation security inspector or officer may cause the arrest of any person who fails or refuses to give their name and address when requested to do so in

terms of subsection (3) or who fails to satisfy the aviation security officer that they are authorized to be in the restricted area.

Powers of aviation security inspectors and officers

36. (1) An aviation security inspector or officer may arrest and detain without warrant any person on or in the vicinity of any aerodrome or any air navigation installation if the inspector or officer has reasonable grounds of believing that an offence has been, is being or is about to be committed by that person against civil aviation.

(2) An aviation security inspector or officer who is on duty may at any time enter any aerodrome or air navigation installation or any aircraft, buildings, vehicle or place or any part of any aerodrome or any air navigation installation for the purpose of carrying out their duties.

(3) Where the police takes command of any situation at any aerodrome or any air navigation installation for any reason, the rights of aviation security inspectors or officers to enter any part of any building, aircraft, or place shall be subject to such limitation as the senior police officer present may specify.

(4) An aviation security inspector or officer shall as soon as possible deliver an arrested person to a member of the police.

(5) A member of the police shall accept delivery of any person who is delivered by an aviation security inspector or officer in terms of sub-regulation (4).

(6) A member of the police who accepts delivery of a person in terms of sub-regulation (5) shall forthwith arrest that person.

(7) Any person who-

(a) not being an aviation security inspector or security officer, by conduct or demeanour, pretends to be an aviation security inspector or officer, or wears, or assumes the dress, name and designation of an aviation security officer; or

- (b) wilfully obstructs, incites or encourages any person to obstruct an aviation security inspector or officer in the execution of their duties; or
- (c) assaults any aviation security inspector or officer who is engaged in the execution of their her duties; or
- (d) fails to comply with the provisions of these regulations; or
- (e) fails to comply with the provisions of the national civil aviation security programme; or
- (f) fails to comply with the procedures emanating from the national civil aviation security programme;
- (g) fails to take corrective action of a security shortfall;

shall be guilty of an offence.

PART VI

IDENTIFICATION CARDS AND VEHICLE PASSES

Entry into restricted areas prohibited

37. (1) No person shall enter or remain in any restricted area or air navigation installation facility unless that person-

- (a) is issued with an identification card by the Director-General in terms of regulation 38 and wears the card on the front of the outer garment; or
- (b) obtains the permission of the Director-General and
 - (i) has in their possession any other identification document authorized by the Director-General; and

(ii) is accompanied by an aviation security officer into the restricted area.

(2) No person shall drive or cause any vehicle to be driven into a restricted area unless-

(a) the vehicle is issued with a vehicle pass in terms of regulation 39; or

(b) the vehicle is exempted in terms of regulation 53.

(3) Any person who is authorised by this Part to enter a restricted area shall enter that area for the purpose of carrying out their duties.

Application for identification cards and vehicle passes

38. (1) Any person whose duties require them to be in an aerodrome or any air navigation installation and who wishes to obtain-

(a) a temporary or a permanent identification card or a duplicate of the card shall apply to the Director-General in Form A.S. 3; or

(b) a temporary or a permanent identification vehicle pass or a duplicate of the pass shall apply to the Director-General in Form A.S. 4;

and the appropriate fee shall accompany the application, where applicable.

(2) An application for a temporary identification card or a temporary vehicle pass shall be for a card or a pass which is required for a period of less than six months.

(3) On receipt of an application in terms of sub-regulation (1) the Director-General, shall, consider whether-

(a) the applicant is entitled to be issued with an identification card or a vehicle pass, as the case may be;

- (b) it is necessary for the applicant to have access to all or any of the restricted areas applied for; and
- (c) the applicant is a fit and proper person to hold the card or pass.

Issue of identification cards and vehicle passes

39. If the Director General approves the application submitted in terms of regulation 38, the Director-General shall issue a temporary or a permanent identification card or a vehicle pass, as the case may be, to that person.

Form of identification cards and vehicle passes

40. (1) An identification card issued in terms of regulation 39 shall-
- (a) bear-
 - (i) the name;
 - (ii) the number of the national identity document or a passport issued by or on behalf of the Government of Swaziland;
 - (iii) the number, in case of a person accredited to Swaziland as a diplomat or international civil servant, of any passport or identity document issued by a foreign government or a document issued by the Ministry responsible for Foreign Affairs; and photograph of the holder; and
 - (b) state, by numerical or other code-
 - (i) the identification card number and its period of validity; and
 - (ii) the areas of any airport or air navigation installation to which the holder may have access.

(2) Where the Director-General considers it necessary that the name of the holder of an identification card should not be disclosed, the Director-General may approve the wearing of an identification card from which the holder's name is omitted.

(3) Every vehicle pass issued in terms of regulation 39 shall state-

- (a) the name and identification card number of the holder of the pass;
- (b) the registration number of the vehicle;
- (c) the period of validity of such pass; and
- (d) the restricted areas to which the vehicle has been granted access.

Register of identification cards and vehicles passes

41. (1) The Director-General shall keep a register of all identification cards and vehicle passes issued in terms of regulation 39 and shall review at regular intervals the eligibility of those persons on the register to continue to hold the cards or passes.

(2) Where an identification card or a vehicle pass is lost and is subsequently found by a person other than the holder, that person shall return the pass forthwith to the Director- General.

Identification cards and vehicle passes to be property of Authority

42. Any identification card or vehicle pass issued in terms of regulation 39 shall be the property of the Authority.

Recall and cancellation of identification cards and vehicle passes

43. The Director-General may, at any time, recall and cancel any identification card or vehicle pass issued in terms of regulation 39 if the Director-General has reason to believe that the person holding that card-

- (a) no longer qualifies to have access to a restricted area;
- (b) has a criminal record; or
- (c) has not complied with any of the conditions subject to which the identification card or vehicle pass was issued.

Return of identification cards and vehicle passes

44. (1) If the holder of an identification card or vehicle pass ceases to be employed in a position for which the card or pass is required, or for any other reason ceases to be entitled to hold the card or pass, the holder shall forthwith return the card or pass to the Director-General.

(2) Where an identification card or vehicle pass is lost and is subsequently found by a person other than the holder, that person shall return the pass or card forthwith to the Director-General.

Examination of identification card by aviation security officers

45. An aviation security inspector or officer may stop any person inside a restricted area and examine the identification card of that person.

Failure to produce identification card

46. Where any person is unable to produce an identification card or offer sufficient reason for not having such card upon their person, the aviation security inspector or officer shall order that person to leave the area forthwith.

Issue of duplicate identification cards or vehicle passes

47. Where any identification card or vehicle pass is lost, defaced or is illegible, the Director-General may issue a duplicate identification card or vehicle pass on payment of the appropriate fee.

Display of vehicle passes

48. The holder of a vehicle pass shall display the pass on the left side of the front windscreen of the vehicle at all times when the vehicle is in a restricted area.

Occupants of vehicle to comply with regulations

49. The display of a vehicle pass shall not exempt the occupants of the vehicle from compliance with these regulations and occupants of a vehicle are supposed to wear identity cards.

Transfer of vehicle passes prohibited

50. No vehicle pass shall be transferable from one vehicle to another.

Vehicles not to cause interference

51. (1) Any vehicle within a restricted area shall be driven and conducted in a manner that does not cause any restriction, hazard or interference to aircraft or to any air navigation installations.

(2) An aviation security officer may, if aware of any vehicle causing any restriction, hazard or interference within a restricted area-

(a) order the driver of the vehicle to move the vehicle to a place where it no longer causes any restriction, hazard or interference or to remove the vehicle from the restricted area; or

(b) move or cause the vehicle to be moved to a place where it will not cause any restriction, hazard or interference or to a place outside the restricted area.

(3) The Authority shall not be liable for any damage to a vehicle that is moved or caused to be moved by an aviation security inspector or officer exercising powers in terms of this regulation.

Inspection of vehicles

52. (1) An aviation security officer may require the driver of a vehicle entering or leaving a restricted area to submit the vehicle for inspection.

(2) Any person who fails to comply with a request made in terms of sub-regulation (1) shall be guilty of an offence.

Exemptions

53. (1) No member of a crew of an aircraft in transit through Swaziland shall be required to hold an identification card issued in terms of regulation 39.

(2) A crew member exempt under sub-regulation (1) shall-

- (a) carry and produce sufficient evidence of identity on demand by an aviation security officer;
- (b) enter a restricted area for the purpose of carrying out duties and shall comply with any direction given by an aviation security officer.

(3) The following persons are exempt from the payment of fees for the issue of an identification card-

- (a) members of the Diplomatic Corps accredited to of Swaziland; and
- (b) employees of the Civil Aviation Authority and any other person approved by the Director-General.

(4) The Director-General may exempt any vehicle or class of vehicles from paying the appropriate fee for a vehicle pass.

PART VII OFFENCES

Offences

54. (1) Any person who-

- (a) enters a restricted area without the permission of the Director-General;

- (b) obtains an identification card or a vehicle pass through fraudulent means;
- (c) wears or displays another person's identification card;
- (d) reproduces or forges an identification card or a vehicle pass issued in terms of regulation 39;
- (e) remains in a restricted area when ordered to leave by an aviation security officer, whether or not that person holds an identification card or a vehicle pass;
- (f) uses an aircraft as a weapon to endanger the safety of passengers, property or any other persons;
- (g) causes or endangers the safety and security of civil aviation; or
- (h) organizes or directs others to commit an offence against civil aviation

commits an offence and shall be liable, on conviction to a fine not exceeding one hundred thousand Emalangeneni or to imprisonment for a period not exceeding two years or to both.

- (2) Any person whose actions, whether by commission or omission leads to-
 - (a) failure by an operator or aerodrome/airport to comply with the provisions of the National Aviation Security Programme; or
 - (b) failure by an operator or aerodrome/airport to submit a security programme for approval; or
 - (c) failure to control access to airside areas at the airports; or
 - (d) failure to establish security restricted areas at airports; or

- (e) failure to conduct background checks on persons, other than passengers granted unescorted access to the security restricted areas of the airport prior to granting access to security restricted area; or
- (f) failure to supervise the movement of persons and vehicles to and from the security areas of an airport in order to prevent unauthorised access to the aircraft; or
- (g) failure to screen all persons accessing the airside; or
- (h) failure to carry out an aircraft security search by an operator; or
- (i) failure by an operator to ensure that passengers of a commercial flight disembarking from the aircraft at any given time do not leave items on board the aircraft; or
- (j) failure to protect an originating aircraft from an unauthorised interference from the time the aircraft search or check has commenced until the aircraft departs; or
- (k) failure to ensure that passengers and their cabin baggage which has been screened are protected from unauthorised interference from the point of screening until they board their aircraft; or
- (l) failure to ensure that passengers of commercial air transport operations and their cabin baggage are screened prior to boarding an aircraft; or
- (m) failure to ensure that all hold baggage to be carried on a commercial aircraft is protected from unauthorised interference from the point it is screened or accepted into the care of the carrier until departure of the aircraft; or
- (n) failure by operators to ensure that the baggage of passengers who are not on board the aircraft, unless the baggage is identified as unaccompanied baggage and, subject to additional screening, is not transported; or
- (o) failure to ensure that transfer hold baggage is screened prior to being loaded into an aircraft engaged in commercial air transport operations; or

- (p) failure to ensure that security measures are applied to cargo and mail prior to them being loaded into an aircraft engaged in passenger commercial air transport operations; or
- (q) failure to protect mail and cargo to be carried on a passenger commercial aircraft from unauthorised interference from the point security controls are applied until departure of the aircraft; or
- (r) failure to ensure that there is adequate security control measures for the cargo and mail to be taken on an aircraft engaged in passenger air transport operations; or
- (s) failure to ensure that catering stores and supplies intended for carriage on passenger commercial flights are subject to appropriate security controls and thereafter protected until loaded into the aircraft; or
- (t) failure to ensure that the carriage of weapons in an aircraft is allowed only when an authorised and duly qualified person has determined that they are not loaded; or
- (u) failure to train and develop suitably qualified officers at airports serving civil aviation; or
- (v) failure to establish measures to prevent weapons, explosives or any other dangerous devices, articles or substances which may be used to commit an act of unlawful interference; or
- (w) failure by an operator to ensure that unauthorised persons are prevented from entering the flight crew compartment during a flight; or
- (x) failure to screen originating passengers and their cabin baggage; or
- (y) failure by an airport to ensure that originating hold baggage is screened prior to being loaded into an aircraft engaged in commercial air operations; or
- (z) failure by an operator to use approved and or regulated agents to process cargo and mail which is to be loaded in passenger aircraft engaged in air operations; or

- (aa) failure to take appropriate measures for the safety of the passengers and crew of an aircraft, which is subject to an act of unlawful interference; or
- (bb) failure to provide assistance, as may be necessitated by the circumstances, to an aircraft subjected to an act of unlawful seizure including use of navigation aids and air traffic services; or
- (cc) failure to notify ICAO when an aircraft has been subjected to an act of unlawful interference; or
- (dd) failure by an airport to establish and implement an aerodromes security programme; or
- (ee) failure by an airport to establish and implement contingency plans to safeguard civil aviation against acts of unlawful interference; or
- (ff) failure by an operator to ensure that the cockpit doors of an aircraft engaged in civil aviation operations are reinforced and always locked during the flight; or
- (gg) failure by an operator to prevent the unlawful carriage, whether on a person or in the baggage, mail or other cargo, of any firearm, ammunition, weapon, incendiary device or explosive or other substance or a thing that by reason of its nature or condition, may endanger the safety of the aircraft or the persons or property on board the aircraft; or
- (hh) failure by an operator to protect an aircraft, persons and property in the event of a threat or warning having been received or when otherwise there is reason to believe that there exists a danger to the safety of those persons or property; or
- (ii) failure by an operator to ensure that all passengers and their cabin baggage are screened prior to boarding or being loaded in an aircraft engaged in civil aviation operations; or
- (jj) failure by an operator to ensure that all aircraft security checks of an aircraft engaged in civil aviation operations, whether on a domestic or international flight, are performed; or

- (kk) failure by an operator to ensure that the aircraft security checks of originating aircraft engaged in commercial air transport movements are performed or an aircraft security search is carried out; or
- (ll) failure by an operator to ensure that an originating aircraft is protected from unauthorised interference from the time the aircraft search or check has commenced until the aircraft departs; or
- (mm) failure by an operator to ensure that originating passengers of commercial air transport operations and their cabin baggage are screened prior to boarding an aircraft departing from a security restricted area; or
- (nn) failure by an operator to ensure that passengers of commercial air transport operations and their cabin baggage are screened prior to boarding and aircraft; or
- (oo) failure by an operator to ensure that passengers and their cabin baggage which have been screened are protected from unauthorised interference from the point of screening until they board their aircraft and that if a mix up occurs, passengers and their cabin baggage are re-screened; or
- (pp) failure by an operator to ensure that all hold baggage to be carried on a commercial aircraft is protected from unauthorised interference from the point it is screened or accepted into the care of the carrier until departure of the aircraft on which it is to be carried; or
- (qq) failure by an operator to ensure that baggage of any passenger who is not on board the aircraft is not transported, unless that baggage is identified as unaccompanied and is screened to the appropriate standard and accepted for carriage on that flight by the air carrier; or
- (rr) failure by an operator to ensure that security controls are applied to cargo and mail prior to them being loaded into an aircraft engaged in passenger commercial air transport operation; or
- (ss) failure by an operator to ensure that cargo and mail to be carried on a passenger commercial aircraft is protected from unauthorised

interference from the point security controls are applied until departure of the aircraft; or

- (tt) parking in a prohibited place/area; or
- (uu) trespassing in a restricted area; or
- (vv) failure by an operator to take necessary precautions at the point of embarkation to ensure that passengers are in possession of documents prescribed by the state of transit and destination; or
- (ww) failure to seize fraudulent, falsified or counterfeit travel documents; or
- (xx) failure to seize travel documents of a person impersonating the rightful holder of travel documents; or
- (yy) failure to put adequate controls (e.g. background checks) on the issuance of crew member certificates and other official crew identity documents to prevent fraud; or
- (zz) failure to develop, maintain and keep current aviation security equipment (X-rays, metal detectors, explosive detectors) maintenance programme; or
- (aaa) failure to maintain aviation security equipment; or
- (bbb) failure to allocate appropriate resources (human and material) to the aviation security function;

commits an offence and the persons or entities responsible shall if convicted be liable to a penalty not exceeding two hundred thousand Emalangeni or to imprisonment for a period not exceeding three years or to both.

Offences committed at airports

55. (1) A person who refuses to follow a lawful instruction given by an aircraft commander or on behalf of the aircraft commander by a crew member, for the purpose of ensuring the safety of the aircraft or of any person or property on board or for the purpose of maintaining good order and discipline on board an aircraft, at an airport or its related

facilities commits an offence and is liable, on conviction, to a fine not exceeding one hundred thousand Emalangeni or to imprisonment for a term not exceeding three years or to both.

Disturbing good order and discipline on board an aircraft

56. (1) A person who commits on board an aircraft an act of physical violence against a person, or an act of sexual assault or child molestation, commits an offence.

(2) A person who commits on board an aircraft any of the following acts commits an offence if that act is likely to endanger the safety of the aircraft or of any person on board, or if that act jeopardizes good order and discipline on board the aircraft-

- (a) assault, intimidation or threat, whether physical or verbal, against another person;
- (b) intentionally causing damage to, or destruction of, property;
- (c) consuming alcoholic beverages or drugs resulting in intoxication;
or
- (d) smokes on board an aircraft.

(3) A person who commits an offence under this regulation is liable, on conviction, to a fine not exceeding one hundred thousand Emalangeni or to imprisonment for a term not exceeding three years or to both.

PART VIII
DANGEROUS ARTICLES

Interpretation

57. In this Part-
“ammunition” means-

- (a) ammunition for any firearm;
- (b) grenades, bombs and other live missiles whether capable of use with a firearm or not;

“explosive” means gun powder, nitro-glycerine, dynamite and other nitro-glycerine admixtures, gun cotton, blasting powder, detonators, fuse and every other substance used to produce a practical effect;

“firearm” means-

- (a) any lethal barrelled weapon of any description from which any shot, bullet or any other missile can be discharged or which can be adapted for the discharge of any such shot, bullet or any other missile;
- (b) the barrel, bolt and chamber or any other essential component part of the weapon mention in paragraph (a).

Application of Part to certain dangerous articles

58. (1) This Part shall apply to the following articles-

- (a) any explosive, any article manufactured or adopted whether in the form of a bomb, grenade or otherwise, so as to have the appearance of being an explosive, whether or not it is capable of producing a practical effect by explosion or any article marked or labelled so as to indicate that it is or contains explosives such as-
 - (i) dynamite, TNT and other explosives normally found in the form of sticks, slabs or blocks; or
 - (ii) plastic explosives; or
 - (iii) black powder; or

- (iv) pyrotechnics, such as flares, smoke bombs and fire crackers; or
 - (v) ammunition, including all types of cartridges and shells, loose or in clips; or
 - (vi) hand grenades and pipe bombs; or
 - (vii) electrical blasting caps with wires and mechanical blasting caps with wires (detonators); or
 - (viii) crimping pliers, safety fuses and blasting wires; or
 - (ix) any home made sabotage devices and improvised explosive devices;
- (b) any weapons that are primarily designed to kill immobilise or incapacitate any person or thing such as-
- (i) firearms whether capable of being discharged or not, handguns, rifles and shotguns; or
 - (ii) flare guns and pellet guns; or
 - (iii) spear guns, blow guns and darts; or
 - (iv) electric dart guns;
 - (v) mace, tear gas and other incapacitating sprays, liquids, powders normally found in canisters or disguised as pens; or
 - (vi) martial arts weapons, bladed or spiked finger rings and wrist bands; or

- (vii) sword canes and umbrella sword; or
 - (viii) knives with blades over ten centimetres long; or
 - (ix) knife belts;
- (c) any dangerous articles which may be used to threaten the safety of passengers, or aircraft such as-
- (i) starter pistols; or
 - (ii) toy guns; or
 - (iii) toy grenades; or
 - (iv) sharp pointed scissors, chisels, ice-picks; or
 - (iv) pocket knives with blades over four centimetres; or
 - (v) spears and other dangerous wooden articles; or
 - (vii) mace, tear gas and other incapacitating sprays, liquids, powders normally found in canisters or disguised as pens; or
 - (viii) martial arts weapons, bladed or spiked finger rings and wrist bands; or
 - (ix) sword canes and umbrella sword; or
- (x) knife belts

- (xi) knives with blades over ten centimetres long; or
- (xii) screw drivers over four centimetres; or
 - (xiii) butane, propane or lighter fluid.
- (d) any sharp objects that may be used to threaten the safety of passengers, crew and aircraft such as box cutters, ice axes, knives, meat cleavers, razor blades, scissors and swords shall not be carried as cabin baggage;
- (e) any sporting goods that may be used to threaten the safety of passengers, crew and aircraft such as baseball bats, bows and arrows, cricket bats, golf clubs, hockey sticks, lacrosse sticks, pool cues, ski poles, spear guns shall not be carried as cabin baggage;
- (f) any tools that may be used to threaten the safety of passengers, crew and aircraft such as axes and hatchets, cattle prods, crowbars, hammers, drill bits, saws, crouches and pliers shall not be carried as cabin baggage;
- (g) any martial arts tools that may be used to threaten the safety of passengers, crew and aircraft such as billy clubs, black jacks, brass knuckles, kubatons, mace spray, martial arts weapons, nigh sticks, nana chakus, stun guns, shocking devices, throwing starts shall not be carried as cabin baggage;
- (h) all liquids, aerosols and gels are prohibited as cabin baggage with the exception of—
 - (i) those that are 100 grams or smaller in a 1 litre plastic zip-top bag;
 - (ii) reasonable amounts over 100 grams of baby formula, breast milk and baby food, medications (liquid, gels and or aerosols), liquids (to include water, juice or liquid nutrients) or gels for diabetic or other medical needs which are declared to a security officer at the checkpoint;
- (i) any flammable items that may be used to threaten the safety of passengers, crew and aircraft such as aerosols, fuels, gasoline, gas torches, lighter fluid, common lights, torch lighters, matches, turpentine and paint thinner,

realistic replicas of incendiaries shall not be carried as cabin or checked baggage;

- (j) any other hazardous materials which may be used to threaten the safety of passengers, crew and aircraft such as dry ice, gasoline-powdered tools, wet cell batteries, camping equipment with fuel radioactive materials, poisons, infectious substances and pepper spray shall not be carried as cabin or checked baggage;
 - (k) any flammable liquids that may be used to threaten the safety of passengers, crew and aircraft such as fuel paints, lighter refills matches, shall not be carried as cabin or checked baggage;
 - (l) any pressure containers that may be used to threaten the safety of passengers, crew and aircraft such as spray cans, butane fuel, scuba tanks, propane tanks, CO2 cartridges, self inflating rafts shall not be carried as cabin or checked baggage;
 - (m) any fireworks which may be used to threaten the safety of passengers, crew and aircraft such as signal flares, sparklers, other explosives shall not be carried as cabin or checked baggage;
 - (n) any disabling chemicals and dangerous items that may be used to threaten the safety of passengers, crew and aircraft such as chlorine, compressed gas cylinders, liquid bleach, spill able batteries, spray paint, tear gas shall not be carried as cabin or checked baggage;
 - (n) all electrical devices such as cell-phones, laptops, pagers, personal data assistants and cameras shall be checked in as carry on baggage with batteries installed and no loose batteries shall be permitted;
 - (o) lithium metal batteries shall not exceed 2 grams of lithium metal per battery and each electronic device shall not use batteries which are more than 8 grams of equivalent lithium content in total.
- (2) All dangerous items confiscated by the Security Officers shall be destroyed and shall not be handed over to their previous owners.

Carriage of articles prohibited

59. No person shall, without the permission of the Director-General, have on their person-

- (a) in any aircraft registered in Swaziland whether at a time when the aircraft is in Swaziland or not; or
- (b) in any other aircraft at a time when it is in, or in flight over Swaziland; or
- (c) in any part of any aerodrome in Swaziland; or
- (d) in any air navigation installation in Swaziland;

any article to which this Part applies.

Presumptions

60. For the purpose of this Part any person who is for the time being in an aircraft, or in any part of an aerodrome, shall be regarded as having in the aircraft or in that part of the aerodrome, as the case may be, a dangerous article to which this Part applies if-

- (a) the person brings into the aircraft a dangerous article forming part of property to be carried on the flight; or
- (b) where the person is in a part of an aerodrome, otherwise than in an aircraft, the dangerous article or any article in which it is contained, is in that or any other part of the aerodrome and has been caused, whether by that person to be brought into the aerodrome as being or as forming part of, any other property to be carried on such a flight on which the person is also to be carried.

Carriage of firearms prohibited

61. (1) No person shall carry any firearm on board any air transport service without the permission of the Director- General.

(2) Where special requests are made by a State to allow the travel of armed personnel on board any aircraft, the Director-General shall exercise discretion, and in consultation with all States involved, permit the carrying of firearms by specified personnel in accordance with the conditions imposed by the Director-General.

Application to carry firearms on board an air transport service

62. (1) Any person who wishes to obtain the permission of the Director-General to carry a firearm on board an air transport service shall apply in Form A.S. 5 and the application shall be accompanied by the appropriate fee.

(2) An application to the Director-General to carry a firearm shall be made not later than twenty-four hours before the time at which the flight concerned is expected to arrive or depart from Swaziland.

Approval by Director General

63. The Director-General shall, before approving an application made in terms of regulation 62, consult the Commissioner of Police and the operator on which the applicant intends to carry the firearm.

Director General to inform operator

64. (1) Where the Director-General grants permission to an applicant to carry a firearm onboard an air transport service, the Director-General shall inform the operator concerned of the number of persons who will carry the firearms on board the air transport service.

(2) The operator shall inform the pilot in command of that air transport service of the persons who will carry firearms on board the air transport service.

Safety of firearms carried on board an air transport service

65. The police in conjunction with the operator shall ensure that every firearm carried on board an air transport service by any person-

- (a) is not loaded;
- (b) is in a safe condition; and
- (c) is stowed in a place that is inaccessible to any person not authorized to have possession of it.

PART IX

GENERAL

Carriage of persons in custody

66. (1) A person in custody who is to be carried by air shall be accompanied by an escort qualified for the task to the satisfaction of the operator and the pilot-in-command.

(2) Any person who wishes to carry a person in custody by air shall notify the operator of the air transport service of the name of the person in custody seven days before the intended flight and the operator shall notify the pilot-in-command of the name of the person in custody prior to the departure of the flight.

(3) The maximum number of persons in custody accompanied by escorts that may be carried in an aircraft shall not exceed two persons.

(4) An operator or pilot-in-command shall not be compelled to carry persons in custody and may impose such additional restrictions as they consider necessary.

Carriage of other persons

67. The following classes of persons may be carried by air without an escort-

- (a) children under the age of twelve years;
- (b) deportees under the control of, but not being physically restrained by, the Department of Immigration;
- (c) service personnel of the Defence Forces who have been absent without leave and who have voluntarily surrendered themselves and are being returned to their unit and the operator shall be furnished with a written statement from the responsible Government, person or authority stating that an escort is not necessary.

Passenger restraining equipment

68. (1) Any aircraft engaged in public transport and carrying a crew of more than one person shall be equipped with at least one truncheon and two pairs of handcuffs.

(2) The restraining equipment referred to in sub-regulation (1) shall be carried in an aircraft in a place readily accessible to crew members but concealed from other persons.

Director General may require person to vacate premises at aerodrome

69. The Director General may direct any person to vacate the occupation of any office or residential accommodation within an aerodrome if the Director-General has reason to believe that the person may be a threat to the security of the aerodrome.

Wheel clamping and towing away of vehicles

70. (1) In this section-

“tow away” means the removal by an authorized person of a vehicle parked or stationary in violation of these regulations to a secure compound;

“wheel clamp” means a device used to immobilize a vehicle parked or stationary in contravention of these regulations.

(2) An authorized person may, if the person has reason to believe that a vehicle poses a threat to the security of an aerodrome or a violation of these regulations has been committed, immobilise or cause the vehicle to be immobilized by way of a wheel-clamp.

(3) An authorized person may remove or cause to be removed any vehicle immobilized in terms of these regulations, to a secure compound.

(4) Risk in any vehicle removed to a secured compound in terms of these regulations shall remain with the owner.

(5) A vehicle removed to a secured compound shall be released on payment by the owner of the motor vehicle of the charges specified in items 7, 8 or 9 of the First Schedule.

Unclaimed vehicles

71. (1) The Authority shall publish in the gazette and a local newspaper a list of vehicles immobilized and advise the owners to claim the vehicles within a period of thirty days.

(2) The Authority may sell by public auction any vehicle that remains unclaimed thirty days after a notice has been published.

(3) The Authority shall deduct the charges specified in items 7, 8 or 9 of the First Schedule from the proceeds of the sale of the vehicle and any balance shall be paid to the owner within thirty days from the date on which the owner submits to the Authority a written request for payment.

(4) The Authority shall operate a special account into which money realized from the sale of unclaimed vehicles shall be deposited.

(5) Any money not claimed within one year after the sale of a motor vehicle shall be forfeited to the Authority.

Designation

72. The Authority shall indicate at every aerodrome-

- (a) any place designated as a secure compound; and
- (b) the names and contact details of any persons appointed as authorized persons; and
- (c) the offices or the names and contact details of the authorised person where the prescribed penalty, tow-away and storage charges may be made.

Fees

73. The fees to be paid in respect of applications made in terms of these regulations shall be the appropriate fees set out in the First Schedule.

PART X
SAVINGS AND TRANSITIONAL PROVISIONS

Existing operators

74. Every person who, immediately before the commencement of these Regulations, was operating as an airport operator, an aircraft operator, a regulated agent or a catering operator may, on the commencement of these Regulations, continue their operations but shall, within ninety days after the commencement of these Regulations, submit to the Authority a security programme for approval in accordance with these regulations.

Existing airport security permits

75. An airport security permit issued before the commencement of these Regulations and in force at the commencement of these Regulations shall continue in force as if it was issued under these Regulations until it expires or is cancelled by the airport operator.

Power of Authority to issue orders, circulars and directives

76. The Authority may make and issue orders, circulars and directives prescribing any aviation security matter which, under these Regulations, is to be prescribed, and generally for the better carrying out or enhancing of the objects and purposes of these Regulations.

Notification to the International Civil Aviation Organisation

77. (1) The Authority shall, where an act of unlawful interference has occurred, provide the International Civil Aviation Organisation with a report on each incident, whether successful or unsuccessful as follows-

- (a) a preliminary report, within thirty days after the occurrence of the act, containing all pertinent information concerning the security aspects of the occurrence; and
- (b) a final report, within sixty days after resolution of the incident.

(2) The Authority shall provide copies of reports submitted to the International Civil Aviation Organisation under this regulation to-

- (a) the state where the aircraft is registered and the state of the operator;
- (b) each state whose citizens suffered fatalities or injuries;
- (c) each state whose citizens are or were detained as hostages;
- (d) each contracting state whose citizens are or were known to be on board the aircraft.

FIRST SCHEDULE

FEES

	<i>Item</i>	<i>Fee</i> E
1.	Application for a temporary identification card	150
2.	Application for a permanent identification card	300
4.	Application for permanent vehicle pass	200
5.	Application for a duplicate identification card or vehicle pass	400
6.	Application to carry a firearm on board an air transport service	350
7.	Wheel-clamping and removal thereof	400
8.	Tow-away charges (for every kilometre or any part thereof for which the vehicle is towed).....	150
9.	Storage charges (per day or part thereof)	350

SECOND SCHEDULE

FORMS

Form A.S. 1

Swaziland Civil Aviation Act 2009

APPLICATION FOR APPROVAL OF OPERATOR'S PROPOSED SECURITY PROGRAMME

Part I

- 1. Name of Company
- 2. Address (Physical)
- (Postal)
- E-mail.....
- Telephone numbers (fixed line)
- (cell/mobile).....

FOR OFFICIAL USE ONLY

- 3. Programme objective clearly stated..... Yes/No*
- 4. Security responsibilities clearly allocated..... Yes/No*
- 5. Airport Aviation Security Committee..... Yes/No*
- 6. Information and communication..... Yes/No*
- 7. Airport's activities clearly defined..... Yes/No*
- 8. Are the following security measures in accordance with the National Civil Aviation Security Programme for The Kingdom of Swaziland and the Aviation (Security) Regulations, 2005?
 - (a) Airport Security Yes/No*
 - (b) Security of Aircraft..... Yes/No*
 - (c) Security procedures related to general passengers and hand luggage Yes/No*
 - (d) Security procedures related to certain passengers and hand luggage Yes/No*
 - (e) Security control of checked baggage/baggage hold Yes/No*
 - (f) Security control of cargo and mail Yes/No*
 - (g) Security control of firearms and weapons in carried as checked baggage ... Yes/No*
 - (h) Security Yes/No*
- 9. Does the security programme have contingency plans to respond to the following acts of unlawful interferences?
 - (a) Hijacking of aircraft..... Yes/No*
 - (b) Sabotage of aircraft..... Yes/No*
 - (c) Sabotage of airport..... Yes/No*
 - (d) Armed attacks against the airport Yes/No*
 - (e) Public disorder at the airport..... Yes/No*
 - (f) Hostage taking..... Yes/No*
 - (g) Bomb threats..... Yes/No*

10. Is the airport security training programme in accordance with the standards set in the National Civil Aviation Security programme and the Aviation (Security) Regulations, 2005?.....Yes/No*

11. This Airport Security Programme is recommended by:

.....
(Date)
(Signature, full names and designation of person making this recommendation)
for: Aviation Security Service
Civil Aviation Authority of The Kingdom of Swaziland

12. This Airport Security programme is approved/not approved*

.....
(Date)
Director General
Civil Aviation Authority of The Kingdom of Swaziland

**Please delete the inapplicable*

Form A.S. 2
Swaziland Civil Aviation Act 2009
APPLICATION FOR APPROVAL OF CARGO OPERATOR'S PROPOSED SECURITY PROGRAMME

1. Name of Company
.....
.....
2. Address (Physical)
.....
(Postal)
E-mail.....
Telephone numbers (fixed line)
(cell/mobile).....

FOR OFFICIAL USE ONLY

3. Programme objective clearly stated Yes/No*
4. Security responsibilities clearly allocated..... Yes/No*
5. Information and communication..... Yes/No*
6. Airport's activities clearly defined..... Yes/No*
7. Operator's activities clearly defined Yes/No*
8. Are the following security measures in accordance with the National Civil Aviation Security Programme for The Kingdom of Swaziland and the Aviation (Security) Regulations, 2005—
(a) Security control of general public, passengers and luggageYes/No*

- (b) Security control of personnel in the catering facilityYes/No*
- (c) Security control of the catering facilities.....Yes/No*
- (d) Security control of cargoYes/No*

9. These procedures are recommended by:

<p>(Date)</p>	<p>(Signature, full names and designation of person making this recommendation) for: Aviation Security Service Civil Aviation Authority of The Kingdom of Swaziland</p>
---------------	---

10. This Airport Security programme is approved/not approved*

<p>(Date)</p>	<p>Director General Civil Aviation Authority of The Kingdom of Swaziland</p>
---------------	--

**Please delete the inapplicable*

FORM A.S. 3

Swaziland Civil Aviation Act 2009

APPLICATION FOR IDENTIFICATION CARD

Applicants should study the conditions of issue outlined in Item 9 before completing this form

APPLICATION FOR A PERMANENT/TEMPORARY/DUPLICATE
IDENTIFICATION CARD*

1. Surname
2. Forenames
3. Date and place of birth.....

4. Identity number♦
5. Employers name.....
.....
6. Employers address (Physical).....
.....
 (Postal).....
 E-mail.....
- Telephone numbers (fixed line).....
 (cell/mobile).....
7. State the reasons for making this application
-
.....
.....
8. State the period for which an identification card is required
9. As a holder of an identification card, I understand, agree to, and will abide by the following conditions of issue—
- (a) that the identification card issued to me is the property of the Civil Aviation Authority of The Kingdom of Swaziland;
 - (b) that I will safeguard the identification card at all times and report its loss or theft without delay to the issuing authority;
 - (c) that I will not permit unauthorized use of the identification card;
 - (d) that I will not abuse the identification card by entering any restricted area when I am not on duty;
 - (e) that I will wear/display the identification card, on outer garment at all times when I am in any aerodrome restricted area;
 - (f) that I will not assist a person who is not in possession of a valid identification card to enter any aerodrome restricted area;
 - (g) that I will surrender the identification card on termination of employment or on demand by the issuing authority;
 - (h) that should I contravene any of these conditions of issue, I will liable to the penalties that can be imposed in terms of these regulations
- I, the undersigned hereby declare that all the information contained herein is correct and true.

.....

(Date) (Signature of applicant)

**Please delete the inapplicable*

Please note—

- (a) that the appropriate fee, if payable, must accompany this application;
- (b) that the application fee for a permanent identification card is indicated in the First Schedule to the Aviation (Security) Regulations.

(Date)

(Issuing officer's signature, full names and designation)
for: Civil Aviation Authority of The Kingdom of Swaziland

FORM A.S. 4
Swaziland Civil Aviation Act 2009
APPLICATION FOR VEHICLE PASS

1. Name of owner of vehicle.....
 2. Address of owner of vehicle (Physical)
.....
 (Postal)
 E-mail.....
Telephone numbers (fixed line)
 (cell/mobile).....
 3. Full names, identity number and driving licence number of driver of vehicle ^(Please attach list, with these details, if more than one driver)
 4. Address of driver of vehicle (Physical) ^(Please attach list, with these details, if more than one driver)
.....
 (Postal)
 5. Date and place of issue of vehicle registration book ^(Please attach list, with these details, if more than one vehicle)
 6. Vehicle registration number ^(Please attach list, with these details, if more than one vehicle)
 7. State aerodrome area of operation being applied for (State whether cargo/apron/hangers, etc.).....
.....
.....
 8. State reasons why vehicles requires access to the area of operation being applied for
.....
.....
.....
 9. State whether this application is for a permanent, temporary or duplicate vehicle pass
- I, the undersigned hereby declare that all the information contained herein is correct and true.

..... (Date) (Signature of applicant)

Please note—

- (a) the appropriate fee, if payable, must accompany this application;
- (b) the application fee for a permanent vehicle pass is indicated in the First Schedule to the Aviation (Security) Regulations;
- (c) the application fee for a temporary vehicle pass is indicated in the First Schedule to the Aviation (Security) Regulations;
- (d) the application fee for a duplicate permanent or temporary vehicle pass is indicated in the First Schedule to the Aviation (Security) Regulations.

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A. VID comments (*where necessary*).....
.....
.....
.....

..... (Date) Signature and grade

B. This application is recommended/not recommended*

..... (Date) (Signature, full names and designation of person making this recommendation)
for: Aviation Security Service
Civil Aviation Authority of The Kingdom of Swaziland

C. This application is approved/not approved*

..... (Date) Director General
Civil Aviation Authority of The Kingdom of Swaziland

**Please delete the inapplicable*

D. Fee paid/not paid (Receipt number).....

E. Vehicle pass number.....

F. Date of issue of vehicle pass and period of its validity

G. Aerodromes where the vehicle pass may be used.....

.....
H. Restricted areas where holder of the vehicle pass will have access to

.....
.....

.....
(Date)

.....
.....
.....
(Issuing officer's signature, full names and designation)

for: Civil Aviation Authority of The Kingdom of Swaziland

FORM A.S. 5
Swaziland Civil Aviation Act 2009
APPLICATION FOR AUTHORITY TO CARRY FIREARM ON BOARD AN AIRCRAFT

Please note—

1. that all information provided in terms of the Aviation (Security) Regulations, shall be confidential and will only be disclosed to security agencies or to those on a need to know basis;
2. that applicants should study the conditions governing the carriage of firearms on an aircraft outlined in Part VI of the Aviation (Security) Regulations, before completing this form;
3. that applications must be submitted not later than twenty-four hours before the time at which the flight concerned is expected to arrive or depart from The Kingdom of Swaziland;
4. that this application must be submitted in triplicate.

1. Surname

2. Forenames.....

3. Date and place of birth.....

4. Nationality

5. Name of issuing authority and passport number

6. Identity number*

7. Type of firearm intended to be carried on board the aircraft.....

8. Make model and identity number of firearm intended to be carried on board the aircraft

.....
9. Name of issuing authority, date and place of issue of firearm licence ^{The firearm licence and an}
authenticated copy thereof must be produced before the application can be considered

.....
10. Flight name/number of aircraft on which the firearm is to be carried on board

.....
11. Date and time of intended travel

12. Reasons for carrying firearm ^{Please place a tick in the appropriate box} ____

- Armed law enforcement officer
- Armed individual travelling alone
- Armed protection escort

Please elaborate

.....

.....

.....

.....

.....

.....

13. *Declaration*

I hereby declare that the information given by me in this application form is to the best of my knowledge true and accurate. I have read the regulations governing the carriage of firearms on board an aircraft and I undertake not to breach or cause a breach of the regulations.

.....
(Date and time) *Full names and signature of applicant*

14. Recommendation by an officer, not below the rank of an Assistant Commissioner of Police, authorised by the the Commissioner of Police
This application is recommended/not recommended*

.....
(Date) *(Signature, full names, rank and force number of person making this recommendation)*
for: Commissioner of Police
Royal Swaziland Police

C. This application is approved/not approved*

.....
(Date) Director General
Civil Aviation Authority of The Kingdom of Swaziland

THIRD SCHEDULE

OPERATOR'S SECURITY PROGRAMME

(Model Outline of the International Civil Aviation Organization's Operator's Programme)

I. PROGRAMME OBJECTIVE

To protect the operation of the airline by safeguarding its customers, its staff, its equipment and facilities.

II. SOURCES OF REGULATIONS

- A. National legislation—Statute, laws or decree and mandatory regulations under the national legislation.
- B. National civil aviation security programme/document or decree mandating operators to take security measures at airports of the concerned State.
- C. Others—IATA resolutions/recommendations; policy document of the company related to security; and relevant policies of other bodies.
- D. Additional security requirements of States to which the airline operates.

III. SECURITY AND OTHER AUTHORITIES

- A. Operator's executive management identifying the line of command for security-related functions.
- B. Appropriate authority at the national and airport level responsible for the implementation of the national and airport security programmes.
- C. Appropriate law enforcement agency.
- D. Appropriate municipal authority, where applicable.
- E. Other Government agencies/departments.
- F. Others.

IV. SECURITY ORGANIZATION: TERMS OF REFERENCE

An outline of the security structure of the operator and its duties.

V. INFORMATION AND COMMUNICATION

- A. Security information circulars—Procedure related to the receipt, dissemination and accountability of security circulars.
- B. Reports and surveys.

- C. Communications—Procedures regarding the channel and method of communication with the appropriate authorities.
- D. Policy on media relations.

VI. DESCRIPTION OF OPERATOR'S ACTIVITIES

Scheduled international/domestic, scheduled cargo, or charter and policies and procedures related to security for each.

VII. SECURITY MEASURES

Will be in accordance with the State's national civil aviation security programme and harmonize with the airport security programme. The requirements may be supplemented if the level of threat so warrants. Where States to which the airline operates have requirements at variance to the operators' home State, attachments covering the variation should be included with each relevant subsection.

- A. Airline security.
 - 1. Airline premises at airports.
 - 2. Fences.
 - 3. Lighting.
 - 4. Access control (if required separately from access control measures under the airport security programme).
 - 5. Vehicles.
 - 6. Supervision of movement of people and vehicles.
 - 7. Background checks (keeping in view the provisions of local laws/procedures).
- B. Security control of passengers and hand baggage.
 - 1. Authority for security control.
 - 2. Protection of flight documents.
 - 3. Identification of passengers.
 - 4. Standards for security control—
 - (a) searchers using security equipment;
 - (b) hand searches;
 - (c) minimum hand searches;
 - (d) identification and disposal of articles to be removed;
 - (e) treatment of suspect persons and bags;
 - 5. Special measures to security-clear electric and battery-operated items.
 - 6. Off-airport check-in.
 - 7. Security screening personnel.
 - 8. Special measures of high risk flights.

- C. Security control of checked baggage.
 - 1. Authority for security control.
 - 2. Passenger/Baggage reconciliation procedures to certify the accuracy and reliability of the system should be spelled out.
 - 3. Special measures to security-clear electric, electronic and battery-operated items.
 - 4. Other security control of checked (hold) baggage—
 - (a) searches;
 - (b) other means;
 - (c) identification and disposal of articles to be removed.
 - 5. Control of movement of checked (hold) baggage.
 - 6. Mishandled (expedite) baggage (normal and high threat situations, including system of inquiry into the circumstances leading to separation of baggage from passenger and the airline office responsible to make judgement as to the nature of additional security controls required before transporting it).
 - 7. Off-airport check-in.
 - 8. Protection of baggage tags.
 - 9. Background checks.
 - 10. Treatment of suspect baggage.
 - 11. Special measures for high risk flights.
- D. Security control of cargo/mail/small parcel/courier services.
 - 1. Authority for security control.
 - 2. Known/Unknown shipper concept.
 - 3. Delay concept.
 - 4. Physical searching.
 - 5. Other security control.
 - 6. Treatment of suspect cargo.
 - 7. Special measures for high risk flights.
- E. Measures related to certain passengers.
 - 1. VIPs and diplomats.
 - 2. Government couriers and diplomatic bags.
 - 3. Diplomatic mail.
 - 4. Staff members (including crew).
 - 5. Disabled passengers.
 - 6. Inadmissible passengers/deportees/escorted prisoners.
- F. Carriage of firearms and weapons.

1. Legal provisions and regulations.
 2. Protection on the ground.
 3. Escorts of prisoners/deportees.
 4. Bodyguards to Government VIPs.
 5. In-flight security guards.
- G. Security of aircraft.
1. Search of aircraft.
 2. Protection on the ground.
 3. Protection in the air.
 4. Special measures for high risk flights.
 5. Special measures on request.
 6. Aircraft stores and servicing.
- H. Security equipment.
1. Operation and management.
 2. X-ray equipment.
 3. Walk-through metal detectors.
 4. Hand-held metal detectors.
 5. Explosive detectors.
 6. Use of simulation chambers.
 7. Dogs and other biosensors.
 8. Others.

VIII. RESPONSE TO ACTS OF UNLAWFUL INTERFERENCE

- A. Operator's contingency plans.
1. Unlawful seizure of aircraft.
 2. Sabotage.
 3. Extortion.
 4. Bomb threat.
 5. Interference with staff.
- B. Crisis management centre.

IX. TRAINING

- A. General.

- B. Security staff (selection, training, motivation, refresher training).
- C. Flight deck staff.
- D. Cabin crew.
- E. Ground operation staff.
- F. Cargo staff.
- G. Catering staff.
- H. Maintenance and engineering staff.
- I. Passenger service staff.
- J. Other.

X. TRAINING

- A. Company organisation charts.
- B. Aircraft diagrams.
- C. Premises' floor plans.

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