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Statutory Instrument No. 18 of 2013

AVIATION SECURITY ACT
(Cap. 71:02)

AVIATION SECURITY (GENERAL) REGULATIONS, 2013
(Published on 8th March, 2013)

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IN EXERCISE of the powers conferred on the Minister of Transport and Communications by section 63 of the Aviation Security Act, and on the recommendation of the Civil Aviation Authority of Botswana, the following Regulations are hereby made —

Part I — *Preliminary*

Citation	1. These Regulations may be cited as the Aviation Security (General) Regulations, 2013.
Interpretation	<p>2. In these Regulations, unless the context otherwise requires —</p> <p>“air carrier” means any person who operates a commercial air service;</p> <p>“air service” means any service provided for hire and reward involving the use of an aircraft;</p> <p>“aircraft manifest” means an official listing of passengers including crew members, cargo or parcels carried on board an aircraft;</p> <p>“aircraft operator” means the person who has possession of the aircraft as owner, lessee or otherwise;</p> <p>“Aircraft Operator Security Programme” means a programme required to be maintained by an aircraft operator comprising of the measures adopted by him or her to safeguard civil aviation against acts of unlawful interference under the National Civil Aviation Security Programme;</p> <p>“airside area” means the movement area of an aerodrome, adjacent terrain and buildings or portions thereof, access to which is controlled;</p> <p>“authorised person” means an aerodrome operator, employer of a person issued with a restricted area identification permit card, an aviation security officer, a police or security officer;</p> <p>“authorised search” means a search carried out by an aviation security officer during the screening of persons and goods or other things in possession or control of persons who are screened and vehicles under the care or control of persons who are screened;</p> <p>“carry-on baggage” means baggage and personal belongings to which a person has or will have access to on board an aircraft;</p> <p>“checked baggage” means any baggage and personal belongings in respect of which a baggage tag is issued after the baggage and personal belongings are accepted for transportation;</p> <p>“combination code” means a series of numbers or letters, or both, that is assigned by, or under the authority of the aerodrome operator to a person, which series, when entered into mechanical or electronic equipment on or near a door, gate or other device, unlocks or releases the door, gate or other device and permits access to a restricted area;</p> <p>“escort officer” means —</p> <ol style="list-style-type: none"> (a) a police officer; (b) an aviation security officer; or (c) any person authorised by the Government or any of its agencies to escort a person in custody on a flight; <p>“incendiary device” means an object, other than a match or pocket lighter that is fabricated with combustible materials and designed to cause fire damage to property or inflict burn injuries on individuals;</p> <p>“key” means a device, including a card that is designed to allow entry into a restricted area and is issued by, or under the authority of the aerodrome operator to an individual;</p> <p>“known consignor” means, in relation to —</p>

- (a) cargo, the originator of property for transportation by air who has an established business with a regulated agent or aircraft operator; and
 - (b) mail, the originator of mail for transportation by air who has established business with a postal authority,
- and has a certificate of approval as known consignor issued by the Authority regulation 7 (4);
- “National Civil Aviation Security Programme” means a programme developed by the National Aviation Security and Facilitation Committee in terms of section 47 of the Act to safeguard against acts of unlawful interference with the safety of civil aviation and to provide for procedures to be taken to ensure safety, regularity and efficiency of civil aviation at national level;
- “personal identification code” means a series of numbers assigned by, or under the authority of the aerodrome operator to a person, which series when entered into or placed near mechanical or electronic equipment on or near a door, gate or other device, unlocks or releases the door, gate or other device and permits access to a restricted area;
- “person in custody” means a passenger who has been or is a subject of judicial or administrative proceedings and includes prisoners and deportees;
- “restricted area access point” means a point in a security barrier at which an access control system is in place which controls access to a restricted area from a non-restricted area;
- “restricted area identification permit card” means a document issued by or under the authority of an aerodrome operator, or by an air carrier with the approval of the aerodrome operator, that entitles the holder to have access to a specific restricted area for a specified period;
- “screening” means the checking, identification, observation, inspection or authorised search of persons, goods and other things in the possession or control of persons who are screened and vehicles under the care or control of persons who are screened to prevent the carrying or transport, contrary to these Regulations, of weapons, explosive substances, incendiary devices or their components or other dangerous items that could be used to jeopardise the security of an aerodrome or aircraft;
- “screening authority” means the authority responsible for screening persons, goods and other things in the possession or control of persons who are screened;
- “security barrier” means a physical structure or natural feature used to prevent or deter access by unauthorised persons to a restricted area;
- “security officer” means a security agent, operative or any member of the law enforcement agencies of Government; and
- “sterile area” means a restricted area, including any passenger loading bridges attached to it that is used to segregate the following persons at the aerodrome —
- (a) passengers who have been screened;
 - (b) passengers who are exempted from screening in accordance with section 60 of the Act; and
 - (c) persons who are authorised to be in the sterile area by the aerodrome operator.

PART II — *Duties of Operators*A. *Aircraft operators*

Duties of
aircraft
operators

3. (1) An operator of an aircraft registered or operating in Botswana shall not —
 - (a) transport the baggage of a passenger who is not on board the aircraft, unless after determining that the passenger is not on board, the baggage is subjected to appropriate security controls, including screening; or
 - (b) accept consignments of cargo, courier and express parcels or mail for carriage on passenger flights, unless the security of the consignments is accounted for by a regulated agent, or the consignments are subjected to security controls to meet the appropriate security requirements.
- (2) An operator of an aircraft registered or operating in Botswana shall —
 - (a) carry out and maintain, at an aerodrome, on an aircraft and at any aviation facility under the control of the aircraft operator, security measures prescribed in the National Civil Aviation Security Programme and the applicable Aircraft Operator Security Programme;
 - (b) ensure that—
 - (i) all its appropriate personnel are familiar with, and comply with the requirements of the National Civil Aviation Security Programme and the applicable Aircraft Operator Security Programme, and
 - (ii) all its aircrafts carry a checklist for that type of aircraft, procedures to be complied with in searching for concealed weapons, explosives or other dangerous devices;
 - (c) be responsible for the security of its aircraft;
 - (d) ensure that persons engaged to implement security controls are subject to background checks, selection procedures, are capable of fulfilling their duties and are adequately trained;
 - (e) institute and implement adequate security controls including background checks on persons other than passengers granted unescorted access to restricted area of the aerodrome; and
 - (f) ensure that persons engaged to provide cleaning services are —
 - (i) familiar with and comply with the requirements of the National Civil Aviation Security Programme,
 - (ii) are adequately trained, and
 - (iii) submit a valid cleaning company security declaration in Form AVSEC 1 set out in the Schedule.
- (3) The aircraft operator shall ensure that appropriate security controls approved by the Authority have been carried out, and in so doing, the aircraft operator shall —
 - (a) carry out appropriate security controls to the required level, to be applied to any given consignment;
 - (b) protect the consignment from unlawful interference while it is in custody of the aircraft operator;
 - (c) ensure that all consignments have been secured to an appropriate level before placed in the aircraft; and
 - (d) ensure that all consignments placed on board the aircraft are recorded on the aircraft manifest.

(4) The aircraft operator shall ensure that all consignments due to be loaded into an aircraft are —

- (a) delivered by an employee of the aircraft operator;
- (b) accompanied by a valid documentation that has been checked for inconsistencies and fully describes the contents;
- (c) accompanied by valid consignment security declaration in Form AVSEC 2 set out in the Schedule;
- (d) checked to establish that there is no evidence of having been tampered with;
- (e) kept secure until delivered into the aircraft operator's charge; and
- (f) subjected to the appropriate level of security screening.

(5) An aircraft operator who contravenes this regulation commits an offence and is liable to a fine not exceeding P1 000 000, or to imprisonment for a term not exceeding two years, or to both.

B. Aerodrome operators

4. (1) Every aerodrome operator serving civil aviation in or from Botswana shall be responsible for the security of the facilities and equipment at the aerodrome and shall —

- (a) institute and maintain measures to prevent weapons, explosives or any other dangerous device which may be used to commit an act of unlawful interference, the carriage or bearing of which is not authorised, from being introduced, by any means, on board an aircraft engaged in civil aviation;
- (b) ensure that —
 - (i) access to airside areas at the aerodrome is controlled in order to prevent unauthorised entry,
 - (ii) restricted areas are established at the aerodrome in accordance with these Regulations,
 - (iii) architectural and infrastructure related requirements necessary for the optimum implementation of security measures under the National Civil Aviation Security Programme and the applicable Aerodrome Operator Security Programme are integrated into the design and construction of new facilities and alterations to existing facilities at the aerodrome,
 - (iv) persons engaged to implement security controls are subject to background checks, selection procedures, are capable of fulfilling their duties and are adequately trained,
 - (v) originating passengers and their carry-on baggage are screened before boarding an aircraft providing air service,
 - (vi) originating checked baggage is screened before being loaded into an aircraft providing air service,
 - (vii) all checked baggage to be carried on aircraft providing air service is protected from unauthorised interference from the point it is screened or accepted into the care of the air carrier, whichever is earlier, until departure of the aircraft on which it is to be carried, and that where the integrity of checked baggage is jeopardised, the checked baggage is re-screened before being placed on board an aircraft,

General duties
of aerodrome
operators

- (viii) air carriers 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 subsequent to it being established as unaccompanied,
- (ix) transfer checked baggage is screened before being loaded into an aircraft providing air service, unless the aerodrome operator has established a validation process and continuously implements procedures in collaboration with other contracting States where appropriate, to ensure that such checked baggage has been screened at the point of origin and subsequently protected from unauthorised interference from the originating aerodrome to the departing aircraft at the transfer aerodrome,
- (x) air carrier only transport items of checked 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 and that all such baggage is recorded as meeting these criteria and is authorised for carriage on that flight,
- (xi) transfer and transit passengers and their carry-on baggage are subjected to adequate security controls to prevent unauthorised articles from being taken on board an aircraft,
- (xii) there is no possibility of mixing or contact between passengers subjected to security control and other persons not subjected to such security control after the security screening points at aerodromes have been passed and that where mixing or contact does take place, the passengers concerned and their cabin baggage are re-screened before boarding the aircraft,
- (xiii) the persons carrying out screening operations are certified by the Authority,
- (xiv) luggage or personal belongings left unattended at the aerodrome are subjected to appropriate security controls and disposal procedures, and
- (xv) that passenger, crew member, aerodrome staff and other non passengers do not pass through the security screening point into a restricted area unless the said persons and all items carried by them have been screened in accordance with the screening procedures issued by the Authority:
 - Provided that —
 - (aa) the Authority may notify a special procedure for handling Heads of States, Heads of Foreign Missions, special category of passengers, their spouses and diplomatic pouches; and
 - (bb) the material that is classified by appropriate agencies of Government shall be inspected only to the extent necessary to assure the absence of weapons or dangerous articles, except that if any question regarding safety remains, the said classified material shall not be admitted in the restricted area and shall not be transported by an air carrier;

- (c) establish –
 - (i) storage areas where mishandled baggage may be held after screening until forwarded, claimed or disposed of,
 - (ii) explosives disposal areas where detected explosives may be disposed of, and
 - (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 restricted areas;
 - (e) provide adequate supervision over the movement of persons and vehicles to and from the aircraft in order to prevent unauthorised access to the aircraft;
 - (f) make investigation and disposal, if necessary of suspected sabotage devices or other potential hazards at the aerodrome;
 - (g) employ and deploy suitably trained personnel to assist in dealing with suspected or actual cases of unlawful interference with civil aviation;
 - (h) conduct a full scale security emergency exercise that incorporates security scenarios at least once every three years; and
 - (i) conduct a contingency plan exercise at least once a year.
- (2) An aerodrome operator who contravenes subregulation (1), commits an offence and is liable to a fine not exceeding P1 000 000, or to imprisonment for a term not exceeding two years, or to both.

5. (1) The aerodrome operator shall ensure that tenants whose premises or facilities form part of the landside or airside boundary through which access can be gained to the airside are responsible for prevention of unauthorised access through their premises, and shall carry on business in compliance with the Aerodrome Operator Security Programme applicable to the aerodrome.

Control of
access by
tenants

(2) For purposes of this regulation, “tenants” means –

- (a) individuals or businesses granted a licence or other permit by the aerodrome operator to conduct business operations at the aerodrome, including concessionaries, cargo handlers, caterers, tour operators, taxi and bus operators, porters, aircraft maintenance organisations and fuel companies; and
- (b) Government authorities and agencies at the aerodrome, including customs, immigration, health, agriculture and meteorology.

C. Regulated Agents

6. (1) A regulated agent shall not accept goods from any consignor for transport in an aircraft without subjecting the goods to full screening.

Acceptance
of goods by
regulated
agents

(2) A regulated agent shall, before accepting goods from a consignor for transport in an aircraft –

- (a) establish and register the name and the 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 such goods do not contain any prohibited items;
- (d) ensure the safeguarding of such goods from unauthorised interference after acceptance;

- (e) ensure goods are received by staff who 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, and
 - (iii) goods for which the contents do not coincide with the description delivered; and
- (h) ensure that each consignment from a known consignor is accompanied by a valid known consignor cargo security declaration providing security status of the consignment signed by or on behalf of such known consignor, in Form AVSEC 3 set out in the Schedule.

(3) 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.

(4) 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.

(5) 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.

(6) A regulated agent or an aircraft operator who contravenes this regulation commits an offence and is liable to a fine not exceeding P1 000 000, or to imprisonment for a term not exceeding two years, or to both.

7. (1) A consignor whose business is the preparation, storage and transportation of cargo for air transport, and wishes to be approved as a known consignor shall make an application to the Authority in Form AVSEC 4 set out in the Schedule.

(2) An application for approval as a known consignor shall be accompanied by an application fee of P1 500.

(3) On receipt of an application from a consignor under subregulation (1), the Authority shall undertake a security inspection of the consignor's premises and procedures which he or she has in place to protect cargo from unlawful interference in order to —

- (a) evaluate the implementation of the security procedures;
- (b) determine the ability of the procedures to prevent acts of unlawful interference with the safety of civil aviation;
- (c) assess whether there is proper recruitment and training of staff and any other persons with access to cargo;
- (d) assess whether the requirements of the National Civil Aviation Security Programme are complied with; and
- (e) highlight any deficiencies which may be present in the consignor's security procedures.

(4) Where the Authority is satisfied that the consignor's premises and security procedures are sufficient and meets the requirements of this regulation, it shall issue the consignor with a certificate of approval as known consignor in form AVSEC 5 set out in the Schedule.

Application
for approval
as known
consignor

(5) A certificate of approval as a known consignor shall be valid for a period not exceeding two years from the date of issue.

(6) Where the Authority determines that the consignor's premises and security procedures are insufficient to protect cargo from unlawful interference, it shall notify the consignor in writing of the deficiencies and where possible, how they can be rectified within 14 days after receipt of the application.

(7) A consignor whose application is considered insufficient may after receiving notification of the same from the Authority, rectify and on payment of the fee of P750, re-submit the application for another security inspection to be carried out.

8. (1) A certificate of approval as a known consignor may be renewed by filling in the applicable parts in Form AVSEC 4 set out in the Schedule for further period not exceeding two years from the date of its expiry.

(2) An application for renewal in terms of subregulation (1) shall be —

(a) made at least three months before the expiry of the certificate of approval as known consignor; and

(b) accompanied by a fee of P750.

(3) On receipt of an application for renewal of certificate of approval as known consignor, the Authority shall undertake a further inspection to ensure that the premises and security procedures of the known consignor are sufficient and still meet the requirements of these Regulations.

(4) Where the Authority is satisfied that the known consignor meets the requirements of subregulation (3), it shall issue a new approval as known consignor in Form AVSEC 5 set out in the Schedule.

9. (1) For the purpose of protecting passengers, crew members, aircraft and aerodromes and preventing acts of unlawful interference with civil aviation, every regulated agent shall establish measures to ensure that —

(a) only screened baggage is loaded into an aircraft engaged in civil aviation;

(b) all carry-on baggage to be carried on an aircraft providing commercial air service is protected from unauthorised interference from the point it is screened or accepted into the care of the air carrier, whichever is earlier, until departure of the aircraft on which it is to be carried, and if there are grounds to suspect that the integrity of checked baggage may be jeopardised, the carry-on baggage is re-screened before being placed on board an aircraft;

(c) persons engaged to implement security controls are subject to background checks and selection procedures, are capable of fulfilling their duties and are adequately trained; and

(d) the regulated agent institutes and implements adequate security controls, including background checks on persons other than passengers granted unescorted access to restricted areas.

(2) A regulated agent who contravenes subregulation (1), commits an offence and is liable to a fine not exceeding P1 000 000, or to imprisonment for a term not exceeding two years, or to both.

Renewal of
certificate of
approval as
known
consignor

Acceptance
of carry-on
baggage by
regulated
agents

D. *Catering operators*Catering
operators

10. (1) A catering operator shall before accepting supplies and items for preparation as catering supplies and stores for transport in an aircraft —

- (a) establish and register the name and address of the supplier of the catering supplies and stores;
- (b) establish the credentials of the person who delivers the catering supplies and stores as an agent of the supplier of the catering supplies and stores;
- (c) ensure, on the basis of appropriate security controls or security screening, that the catering supplies and stores do not contain any prohibited items;
- (d) ensure the safeguarding of the catering supplies and stores from unauthorised interference after acceptance;
- (e) ensure the catering supplies and stores are received by staff who are properly recruited and trained by the operator;
- (f) designate a person to implement and supervise the screening process;
- (g) ensure that catering supplies and stores are not carried by air unless they have been subjected to screening;
- (h) ensure that each shipment of catering supplies and stores 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, selection procedures, 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 restricted areas.

(2) A catering operator who offers catering supplies and stores to an aircraft operator for transport by air shall produce and make available to the aircraft operator and the Authority on demand, shipping documents, records of catering supplies and stores accepted and offered for air transport, employee training records and other accountable catering documents.

(3) A catering operator who contravenes this regulation commits an offence and is liable to a fine not exceeding P1 000 000, or to imprisonment for a term not exceeding two years, or to both.

PART III – *Aviation security*A. *Screening of persons, goods, things and vehicles*Qualifications
of aviation
security
officers

11. (1) The Authority, or any screening authority authorised by the Authority shall ensure that any person who acts or will act as aviation security officer meets the minimum standards set out in circulars issued by the Authority under section 15 of the Act.

(2) The aviation security officer shall not conduct an authorised search of persons, goods or other things in the possession or control of persons who are screened or vehicles under the care or control of persons who are screened unless the aviation security officer meets the minimum standards set out in the circulars issued by the Authority under section 15 of the Act.

(3) The aviation security officer shall conduct himself or herself in accordance with the Aviation Security Code of conduct as specified in section 2.14 of the Aviation Security Procedures Manual.

(4) The aviation security officer shall perform duties to standards specified in the aviation Security Procedure Manual Volume 1.

(5) Any person who contravenes this regulation commits an offence and is liable to a fine not exceeding P1 000 000, or to imprisonment for a term not exceeding two years, or to both.

12. (1) A person screened under the National Civil Aviation Security Programme and Aerodrome Operator Security Programme applicable to the aerodrome shall not circumvent screening of their person or goods or other things in their possession or control or a vehicle under their care or control or assist another person to circumvent a screening of that person, their goods or other things in their possession or control or a vehicle under that person's care or control.

Circumventing
screening

(2) Any person who contravenes this regulation commits an offence and is liable to a fine not exceeding P1 000 000, or to imprisonment for a term not exceeding two years, or to both.

13. (1) Subject to this regulation, a police or security officer shall prior to being subjected to screening while in possession of a weapon, firearm or ammunition, submit to the aviation security officer all accompanying documents and relevant identification permit card issued by the appropriate employing organisation to allow the police or security officer to proceed through the screening process.

Screening
while in
possession of
weapons

(2) The weapon, firearm or ammunition shall be unloaded prior to screening and safely contained in the appropriate container and shall not be shown or revealed to any person while going through screening.

(3) A person referred to in regulations 26, 28 or 29 shall submit to the screening of their person, their carry-on baggage or other things in their possession or control or a vehicle under their care while carrying a weapon, firearm or ammunition so as to allow the police or security officer subject to subregulation (1) to go through the screening barrier.

(4) A person referred to in regulation 30 (1) shall submit to a screening of their person or things in their possession or control or a vehicle under their care or control while carrying an explosive substance or an incendiary device so as allow the police or security officer subject to subregulation (1) to go through the screening barrier.

(5) The police or security officer shall enter in the appropriate register, all weapons, firearms or ammunition, authorisations or permits associated with the carriage of weapons, firearms or ammunition including personal details and flight number.

14. (1) A passenger who departs, arrives or is in transit at an aerodrome in Botswana to or from a destination within Botswana shall —

Passenger
identification

(a) if he or she is a citizen of Botswana, produce a valid national identity card or passport; and

(b) if he or she is a foreign national, produce a valid passport.

(2) A passenger who is a citizen of Botswana who departs from or arrives at an aerodrome in Botswana to or from a destination outside Botswana shall produce a valid passport.

- (3) A child who is under the age of 16 years and —
- (a) is a citizen of Botswana;
 - (b) travels on a domestic flight; and
 - (c) does not have a passport,
- shall be identified by a valid birth certificate and shall be accompanied by a biological parent or legal guardian.
- (4) Where the child referred to under subregulation (3) is accompanied by a person other than the biological parent or legal guardian, the person shall produce an authorisation in the form of an affidavit —
- (a) sworn to by the biological parent or legal guardian;
 - (b) duly signed by commissioner of oaths;
 - (c) containing details of the —
 - (i) biological parent or legal guardian,
 - (ii) the child concerned, and
 - (iii) birth certificate of the child.
- (5) The aircraft operator shall ensure that the —
- (a) details in the identification document of the passenger including name, date of birth and gender correspond to the details on the boarding pass; and
 - (b) person checking in baggage is the person who is to be a passenger on the flight and has been issued or is to be issued with a boarding pass.
- (6) Any person whose identification cannot be verified in accordance with this regulation shall not be allowed to board the aircraft, without recourse to the aircraft operator concerned or the aerodrome operator.

B. False Statements Relating to Baggage

Baggage,
cargo or
stores

- 15.** (1) A person shall not make a statement which he or she knows to be false in a material particular, or recklessly make a statement which is false in material particular in answer to a question which —
- (a) relates to any baggage, cargo or stores, whether belonging to him or her or to another, that is or are intended for carriage by an aircraft registered or operating in Botswana; and
 - (b) is put to him or her for purposes to which the Act applies —
 - (i) by any of the persons referred to in subregulation (3),
 - (ii) by any employee or agent of such a person in his or her capacity as employee or agent, or
 - (iii) by a police or security officer, aviation security officer or an authorised person.
- (2) Any person who contravenes subregulation (1) commits an offence and is liable to a fine not exceeding P1 000 000, or to imprisonment for a term not exceeding two years, or to both.
- (3) The persons referred to in subregulation (1) (b) (i) are any —
- (a) aerodrome operator in Botswana;
 - (b) aircraft operator of one or more aircraft registered or operating in Botswana;
 - (c) person who —
 - (i) is permitted to have access to a restricted area for the purposes of the activities of a business carried on by him or her, and
 - (ii) has control in that restricted area, over the baggage, cargo or stores to which the question relates; and
 - (d) cargo agent.
- (4) For purposes of this regulation —
- “cargo” includes mail; and
- “stores” means any goods intended for sale or use on an aircraft, including spare parts and other articles of equipment, whether or not for immediate fitting.

16. (1) A person shall not, while at an aerodrome or on board an aircraft, make a statement which he or she knows to be false in a material particular or recklessly make a statement which is false in material particular, to the effect that he or she, or another person on board an aircraft are carrying a weapon, an explosive substance, an incendiary device or other dangerous item that could be used to jeopardise the security of an aerodrome or aircraft or that such an item is contained in goods or other things in their possession or control or in a vehicle under their care or control or that they have tendered or are tendering for screening or transportation.

Weapons, etc.,

(2) Any person who contravenes this regulation commits an offence and is liable to a fine not exceeding P1 000 000, or to imprisonment for a term not exceeding two years, or to both.

17. (1) Where a police or security officer has reasonable cause to suspect that an item of baggage or any other object may constitute a security risk, whether because it is unidentified, unattended or for any other reason that the police or security officer thinks, he or she may subject the baggage to security controls, including further investigation and evaluation.

Power to
destroy
baggage

(2) The police or security officer may after subjecting baggage to further investigations and evaluation in accordance with subregulation (1), and with the approval of the aerodrome operator, destroy such baggage.

C. Catering Stores and Supplies for Air Transportation

18. (1) An aircraft operator shall accept catering stores and supplies for transport on an aircraft only from an appointed catering operator.

Acceptance of
catering stores
and supplies

(2) An aircraft operator shall, before accepting catering supplies and stores for transport on an aircraft, ensure –

- (a) that the catering supplies and stores have been subjected to screening;
- (b) the safeguarding of the catering supplies and stores against unlawful interference until the catering supplies and stores have been placed in the aircraft;
- (c) that the shipments of catering supplies and stores are recorded; and
- (d) that whenever the catering supplies and stores are received, those catering supplies and stores are delivered by an authorised employee of the catering operator.

(3) An aircraft operator shall not accept any catering supplies and stores for transport by aircraft unless the documentation for those catering supplies and stores is examined for inconsistencies and is accompanied by a valid catering operator security declaration in Form AVSEC 6 set out in the Schedule.

(4) An aircraft operator shall make available to the Authority, a report of any incident where a catering or equivalent document did not provide an accurate record of catering supplies and stores being offered for air transport.

(5) An aircraft operator shall preserve, for not less than a year, a record of acceptance checklists and inspections carried out under these Regulations.

(6) An aircraft operator who contravenes this regulation commits an offence and is liable to a fine not exceeding P1 000 000, or to imprisonment for a term not exceeding two years, or to both.

D. Sale, carriage and transportation of weapons, explosive substances and incendiary devices

- Sale of weapons, etc., **19.** (1) A person shall not sell or offer for sale in a restricted area, a weapon, an explosive substance or an incendiary device.
 (2) Any person who contravenes this regulation commits an offence and is liable to a fine not exceeding P2 500 000, or to imprisonment for a term not exceeding five years, or to both.
- Prohibition of carriage of weapons by persons **20.** (1) Subject to regulations 24 (1), 26 (1) and 28 (2) and 29, a person shall not while on an aerodrome, carry, transport or have access to a weapon.
 (2) Subject to regulation 26 (2) and 28 (1), a person shall not carry or have access to a weapon on board an aircraft.
 (3) Any person who contravenes this regulation commits an offence and is liable to a fine not exceeding P2 500 000, or to imprisonment for a term not exceeding five years, or to both.
- Prohibition of weapons by air carriers **21.** (1) Subject to regulations 26 (2) and 28 (1), an air carrier shall not allow a person who is on board an aircraft to have access to a weapon.
 (2) Any person who contravenes this regulation commits an offence and is liable to a fine not exceeding P2 500 000, or to imprisonment for a term not exceeding five years, or to both.
- Prohibition of loaded firearms by persons **22.** (1) Subject to regulations 30 (1) and 30 (2), a person shall not carry, transport or have access to an explosive substance or incendiary device at an aerodrome.
 (2) A person shall not transport or tender for transportation by the air carrier, goods that contain a loaded firearm.
 (3) Subject to regulation 30 (3), a person shall not transport or tender for transportation by the air carrier, goods that contain an explosive substance, other than ammunition, or an incendiary device.
 (4) A person other than an air carrier shall not carry or have access to an explosive substance or incendiary device on board an aircraft.
 (5) Any person who contravenes this regulation commits an offence and is liable to a fine not exceeding P2 500 000, or to imprisonment for a term not exceeding five years, or to both.
- Prohibition of carriage of loaded firearms by air carriers **23.** (1) An air carrier shall not knowingly allow a person to transport goods that contain a loaded firearm.
 (2) Subject to regulation 30 (3), an air carrier shall not knowingly allow a person to transport goods that contain an explosive substance, other than ammunition or an incendiary device.
 (3) An air carrier shall not allow a person who is on board an aircraft to carry or have access to an explosive substance or an incendiary device.
 (4) Any person who contravenes this regulation commits an offence and is liable to a fine not exceeding P2 500 000, or to imprisonment for a term not exceeding five years, or to both.
- Carriage of unloaded firearm **24.** (1) A person may carry or have access to an unloaded firearm at an aerodrome for the purpose of transporting it by air as checked baggage or accepted cargo.
 (2) A person may tender to an air carrier for subsequent acceptance and transportation, baggage or cargo that contains an unloaded firearm if the person declares to the air carrier that the firearm is unloaded.
 (3) An air carrier may allow a person who has complied with subregulation (2) to transport checked baggage or accepted cargo that contains an unloaded firearm.
 (4) An air carrier that transports an unloaded firearm that is contained in checked baggage or accepted cargo shall store the firearm in the aircraft so that it is not accessible to any person on board the aircraft other than crew members.

25. (1) A police or security officer referred to in regulation 26 (2) who carries or has access to a firearm on board an aircraft shall not consume any alcoholic beverage.

(2) An employee referred to in regulation 28 (1) who has access to a firearm on board an aircraft shall not consume any alcoholic beverage.

(3) An air carrier shall not provide any alcoholic beverage to a person who carries or has access to a firearm on board an aircraft.

(4) Any person who contravenes this regulation commits an offence and is liable to a fine not exceeding P1 000 000, or to imprisonment for a term not exceeding two years, or to both.

26. (1) A police or security officer may carry or have access to a weapon at an aerodrome while in the performance of his or her duties.

(2) An air carrier may allow a police or security officer to carry or have access to an unloaded firearm on board an aircraft if —

- (a) the police or security officer, while in the performance of his or her duties, requires access to the firearm immediately before, during or immediately after the flight;
- (b) the police or security officer informs the air carrier, at least two hours before the aircraft leaves the aerodrome or in an emergency as soon as possible before the departure of the flight, that a firearm will be on board the aircraft;
- (c) the police or security officer shows a representative of the air carrier identification and authorisation documents issued by the organisation employing the police or security officer;
- (d) the identification document of the police or security officer consists of their full facial picture and signature and the signature of the authorised representative of the organisation;
- (e) the police or security officer completes the form used by the air carrier to authorise the carriage of firearms on board an aircraft; and
- (f) the air carrier verifies the identification and authorisation documents referred to in paragraph (c) before the police or security officer —
 - (i) enters a restricted area from which the police or security officer may board the aircraft, or
 - (ii) boards the aircraft, if the aerodrome does not have a restricted area from which the police or security officer may board the aircraft.

27. (1) If a police or security officer needs to carry or have access to a firearm on board an aircraft, the air carrier shall, before departure inform —

- (a) the pilot-in-command of the aircraft by showing him or her documents referred to in regulation 26 (2) (c); and
- (b) subject to subregulation (3), the screening authority, the crew members assigned to the flight or the aircraft or any other police on board the aircraft.

(2) The screening authority shall inform all the security officers that a police or security officer referred to in subregulation (1) is carrying or will have access to a firearm on board the aircraft.

(3) If a police or security officer who is carrying or has access to a firearm on board an aircraft is engaged in an undercover operation and requests that the air carrier not reveal the police or security officer's presence to any person other than the pilot-in-command, the air carrier shall not reveal the presence of the police or security officer.

Consumption of alcoholic beverages by persons with access to firearm

Police or security officer on duty

Duty to inform other parties

Access to unloaded firearm by pilot-in-command and employee engaged in wildlife

28. (1) An air carrier may allow the pilot-in-command or an employee of a Government department or agency that is engaged in wildlife control to have access to an unloaded firearm on board an aircraft if the firearm is necessary for survival purposes.

(2) A pilot-in-command or an employee of a Government department or agency that is engaged in wildlife control may carry or have access to an unloaded firearm at an aerodrome if the firearm will be transported in accordance with subregulation (1).

Carriage of firearm by licensed persons
Cap. 24:01

29. A person, other than a police or security officer who holds a licence to carry a firearm that is issued under the Arms and Ammunition Act may carry or have access to a firearm at an aerodrome if that person is engaged —

- (a) in the protection of persons or property at the aerodrome; or
- (b) by the aerodrome operator for the control of animals at the aerodrome.

Carriage of explosives at aerodromes

30. (1) An aerodrome operator may allow a person to carry or have access to explosive substances or incendiary devices at an aerodrome if —

- (a) the explosive substance or incendiary is to be used at the aerodrome —
 - (i) for excavation, demolition or construction,
 - (ii) in a fireworks display,
 - (iii) by persons operating explosives detection equipment or handling explosive detection dogs,
 - (iv) by police or security officer, or
 - (v) by defence personnel; and

- (b) the aerodrome operator has reasonable grounds to believe that the safety of the aerodrome and persons and aircraft at the aerodrome will not be jeopardised by the presence of the explosive substances or incendiary devices at the aerodrome.

E. Escort of persons in custody

Conditions for transportation of persons in custody

31. (1) In this regulation, “organisation responsible for the person in custody” does not include a person or an organisation that provides escort officer services under a contract for remuneration.

(2) An air carrier shall not transport a person in the custody of an escort officer on board an aircraft unless —

- (a) the organisation responsible for the person in custody has provided to the air carrier, a written confirmation that the organisation has assessed the pertinent facts and determined whether the person in custody is a maximum, medium or minimum risk to the safety of the air carrier, aerodrome operations and the travelling passengers;
- (b) the air carrier and the organisation responsible for escorting the person in custody have agreed on the number of escort officers necessary to escort that person, which number shall at least be or comprise of —
 - (i) two escort officers to escort each person who is a maximum risk,
 - (ii) one escort officer to escort each person who is a medium risk, and
 - (iii) one escort officer to escort not more than two persons who are a minimum risk;
- (c) the person in custody is escorted by the agreed number of escort officers;

- (d) the organisation responsible for the person in custody has given a written notice to the air carrier at least two hours, or in an emergency as soon as possible before the departure of the flight, stating —
 - (i) the identity of the escort officer and the person in custody and the reasons why the person requires an escort,
 - (ii) the level of risk that the person in custody represents to the safety of the passengers, and
 - (iii) the flight on which the person in custody will be transported;
 - (e) the escort officer shows a representative of the air carrier identification issued by the organisation responsible for the person in custody or the organisation employing the escort officer that consists of —
 - (i) the escort officer's full facial picture and signature,
 - (ii) the signature of the authorised representative of the organisation, and
 - (iii) an authorisation from the air carrier to transport the person in custody;
 - (f) the air carrier verifies the identification required under paragraph (e) before the escort officer —
 - (i) enters a restricted area from which the escort officer may board the aircraft, or
 - (ii) boards the aircraft, if the aerodrome does not have a restricted area from which the escort officer may board the aircraft;
 - (g) concurrence has been obtained in advance from the other States and other operators that may be involved en-route and at the intended final destination;
 - (h) the escort officers are apprised of the potential danger to the safe operation of the aircraft should they take any action without direction from the pilot-in-command during an act of unlawful interference;
 - (i) the air carrier informed any other security personnel or passengers authorised to carry firearms on board the aircraft of the transportation of the person in custody and escort officer and their locations; and
 - (j) the person in custody and the escort officer are boarded before all the passengers and disembarked after all the passengers have left the aircraft.
- (3) An air carrier or a pilot-in-command shall not accept a person in custody if in his or her judgment such acceptance may unduly jeopardise the safety of other passengers.
- (4) An escort officer shall not escort a person in custody on board an aircraft unless the escort officer —
- (a) provides the aerodrome operator with a copy of the written notice referred to in subregulation (2) (d) at least two hours, or in an emergency as soon as possible before the departure of the flight; and
 - (b) shows a representative of the air carrier the identification referred to in subregulation (2) (e).
- (5) An air carrier that transports a person in custody who is a maximum risk to the public shall not transport any other person in custody on board the aircraft.
- (6) An air carrier shall on an aircraft —
- (a) assign, as far as possible, an escort officer and a person in custody the rearmost seats in the cabin with the person in custody seated at the window seat; and
 - (b) not allow a person in custody to be seated adjacent to an exit.
- (7) Any person who contravenes this regulation commits an offence and is liable to a fine not exceeding P1 000 000, or to imprisonment for a term not exceeding two years, or to both.

Escort officer's obligations

32. (1) An escort officer who is a police or security officer and escorts a person in custody during a flight shall —

- (a) remain with the person at all times;
- (b) immediately before boarding the aircraft, search the person in custody and their carry-on baggage for weapons or other items that could be used to jeopardise flight safety;
- (c) search the area surrounding the aircraft seat assigned to the person in custody for weapons or other items that could be used to jeopardise flight safety; and
- (d) carry restraining devices that could be used to restrain the person in custody, if necessary.

(2) If an escort officer who is not a police or security officer escorts a person in custody, the air carrier shall, immediately before the person in custody boards the aircraft, cause an authorised search of the person in custody and their carry-on baggage to be conducted for weapons or other items that could be used to jeopardise flight safety.

(3) An escort officer who is not a police or security officer who escorts a person in custody during flight shall —

- (a) remain with the person in custody at all times;
- (b) ensure that an authorised search of the person and their carry-on baggage for weapons or other items that could be used to jeopardize flight safety is conducted before the escort officer and the person in custody —
 - (i) enter a restricted area from which they may board the aircraft, or
 - (ii) board the aircraft, if the aerodrome does not have a restricted area from which they may board the aircraft;
- (c) search the area surrounding the aircraft seat assigned to the person in custody for weapons or other items that could be used to jeopardize flight safety; and
- (d) carry restraining devices that can be used to restrain the person in custody, if necessary.

(4) Any person who contravenes this regulation commits an offence and is liable to a fine not exceeding P1 000 000, or to imprisonment for a term not exceeding two years, or to both.

Metal utensils or knife

33. An escort officer may, at his or her discretion allow the person in custody to be served food, but the person in custody shall not be provided with metal utensils or a knife.

Alcoholic beverage

34. (1) A person in custody and the escort officer who is escorting the person in custody shall not consume any alcoholic beverage on board an aircraft.

(2) An air carrier shall not provide any alcoholic beverage to a person in custody or to the escort officer who is escorting the person in custody while they are on board an aircraft.

(3) Any person who contravenes this regulation commits an offence and is liable to a fine not exceeding P1 000 000, or to imprisonment for a term not exceeding two years, or to both.

Persons suffering from mental illness

35. An air carrier shall not transport a person suffering from mental illness who is considered to be a threat to the safety of the flight, unless —

- (a) that person is accompanied by an attendant physically capable of coping with untoward action by the person suffering from mental illness during the flight; and
- (b) if that person requires sedation prior to departure, each portion of the flight should last no longer than the effective duration of the sedative administered.

PART IV — *Aerodrome, air navigation installation and restricted area security*

A. Identification of restricted areas

36. (1) The aerodrome operator shall post signs on each security barrier in both English and Setswana, that identify each restricted area and state that entry is restricted to authorised persons and aviation security officers.

Identification of restricted areas

(2) The signs posted on each security barrier shall be no more than 100 metres apart.

(3) Any sign that identifies a restricted area shall be considered to have been posted by the aerodrome operator in accordance with subregulation (1).

B. Control and access to restricted areas

37. (1) An aerodrome operator shall implement and maintain a restricted area access control process that uses an identity verification system.

Restricted area access control process

(2) A person shall not enter or remain in a restricted area unless the person is —

- (a) a person to whom a restricted area identification permit card has been issued; or
- (b) in possession of a document that is issued or approved by the aerodrome operator in accordance with a security measure as authorisation for the person to enter or remain in the restricted area.

(3) An aerodrome operator shall ensure that a person is not allowed to enter or remain in a restricted area unless the person is in possession of —

- (a) a valid restricted area identification permit card that has been issued to him or her; or
- (b) a document that is issued or approved by the aerodrome operator in accordance with a security measure as authorisation for the person to enter or remain in the restricted area.

(4) Any person who contravenes this regulation commits an offence and is liable to a fine not exceeding P1 000 000, or to imprisonment for a term not exceeding two years, or to both.

38. (1) A person shall not —

Restricted area access point

- (a) enter a restricted area;
- (b) bring a vehicle into the restricted area;
- (c) bring anything into the restricted areas,

except through a restricted area access point.

(2) Any person who contravenes this regulation commits an offence and is liable to a fine not exceeding P1 000 000, or to imprisonment for a term not exceeding two years, or to both.

39. (1) A person to whom a restricted area identification permit card or a vehicle permit card has been issued shall not enter or remain in a restricted area unless —

Restricted area identification permit card

- (a) the person is acting in the course of his or her employment;
- (b) the restricted area identification permit card is in their possession and visibly displayed on their outer clothing;
- (c) the restricted area identification permit card is valid; and
- (d) the person is in possession of a key that has been issued to him or her for the restricted area or a combination code or personal identification code that has been assigned to them for the restricted area.

- (2) Subregulation (1) (d) does not apply to crew members.
- (3) A person shall not —
 - (a) provide access to a restricted area to any other person who does not have a restricted area identification permit card or to provide access to a restricted area to any vehicle for which a vehicle permit card has not been issued;
 - (b) assist any other person who does not have a restricted area identification permit card in their possession or a vehicle, where the driver does not have a vehicle permit card to enter that restricted area.
- (4) A person shall not provide false information for the purpose of obtaining a restricted identification permit card, key, combination code or personal identification code or a clearance granted by the aerodrome operator.
- (5) Any person who contravenes subregulations (1), (3) and (4) commits an offence and is liable to a fine not exceeding P1 000 000, or to imprisonment for a term not exceeding two years, or to both.

Restricted area identification permit card specifications

- 40.** (1) The aerodrome operator shall not issue a restricted area identification permit card to a person unless the —
 - (a) person's employer applies on his or her behalf in Form AVSEC 7 set out in the Schedule;
 - (b) person has a valid security vetting clearance;
 - (c) person confirms that the information provided in the application is correct; and
 - (d) person pays a fee of P250.
- (2) The aerodrome operator shall ensure that the following information is displayed on each restricted area identification permit that it issues, in addition to any other requirements deemed necessary for the security of the restricted areas —
 - (a) the full name of the person to whom the restricted area identification permit card is issued;
 - (b) the plate number of a vehicle for which a vehicle permit card has been issued;
 - (c) the height of the person or type of vehicle to whom the card issued;
 - (d) a photograph depicting a front view of the face of the person to whom the card is issued;
 - (e) the expiry date of the card;
 - (f) the name of the aerodrome where the card is issued;
 - (g) the name of the zone to which the access is permitted;
 - (h) the name of the employer, or owner in case of a vehicle, of the person to whom the card is issued;
 - (i) the term "multi-employer" where the person to whom the card is issued has more than one employer;
 - (j) the occupation of the person to whom the card is issued if that person has a single occupation; and
 - (k) the term "multi-occupation" if the person to whom the card is issued has more than one occupation.
- (3) A restricted area identification permit card shall be in Form AVSEC 8 set out in the Schedule.
- (4) The aerodrome operator shall not issue a vehicle permit card to a person or organisation unless the person or organisation to whom the vehicle belongs applies in Form AVSEC 9 set out in the Schedule and pays a fee of P500.

- (5) A vehicle permit card shall be in Form AVSEC 10 set out in the Schedule.
- (6) An aerodrome operator shall not issue more than one restricted area identification permit card at a time to a person.
- (7) A restricted area identification permit card shall be valid for a period not exceeding two years from the date of its issue or the day on which security vetting clearance of the person to whom the restricted area identification permit card is issued expires, whichever is earlier.
- (8) An employer shall not —
- (a) apply on behalf of a person who does not require continuous access to a restricted area in the course of his or her employment; or
 - (b) knowingly apply for more than one restricted area identification permit card on behalf of one person.
- 41.** (1) A person shall not —
- (a) lend or give a restricted area identification permit card or key that has been issued to him or her to another person;
 - (b) use a restricted area identification permit card or a key that has been issued to him or her to provide access to another person without authorisation from the aerodrome operator;
 - (c) alter or otherwise modify a restricted area identification permit card, unless he or she is the aerodrome operator or a person designated by the aerodrome operator;
 - (d) use a restricted area identification permit card or a key that has been issued to another person;
 - (e) have in his or her possession, without reasonable excuse, a restricted area identification permit card or key that has been issued to another person;
 - (f) issue a counterfeit restricted area identification permit card or a counterfeit key; or
 - (g) make a copy of a restricted area identification permit card or key.
- (2) A person, other than the aerodrome operator or a person designated by him or her shall not —
- (a) disclose a combination code or use a combination code that has been assigned to another person;
 - (b) disclose a personal identification code;
 - (c) use another person's personal identification code;
 - (d) without lawful authority use, wear or have in his or her possession any official security uniform in Botswana, or any uniform closely resembling the same, calculated to deceive or falsely represent himself or herself to be a person who is entitled to use or wear any such uniform; and
 - (e) without lawful authority, use any vehicle belonging to the Authority, or a vehicle with false registration number or which closely resembles a vehicle belonging to the Authority, calculated to deceive or falsely represents himself or herself to be a person who is entitled to use such vehicle in any aerodrome or air navigational facility.
- (3) A person shall not operate or drive a motor vehicle, plant, equipment or machine —
- (a) in the aerodrome or air navigation facility without the appropriate and valid driving licence issued under the Road Traffic Act and a valid air side driving licence or permit issued by the Authority;
 - (b) that is not roadworthy in accordance with the Road Traffic Act; and
 - (c) that does not carry appropriate liability insurance.
- 4) Any person who contravenes this regulation commits an offence and is liable to a fine not exceeding P2 500 000, or to imprisonment for a term not exceeding five years, or to both.

Prohibitions
on use
of restricted
area
identification
permit card

Cap. 69:01

42. (1) The employer of a person to whom a restricted area identification permit card has been issued may, at least three months before the expiry of the restricted area identification permit card, apply for renewal. Renewal of restricted area identification permit card

(2) An application for renewal in terms of subregulation (1) shall be —

(a) made by filling on the applicable parts in Form AVSEC 7 set out in the Schedule; and

(b) accompanied by a fee of P200.

(3) Where an application for renewal complies with subregulations (1) and (2), the aerodrome operator may issue a new restricted area identification permit card in Form AVSEC 8 set out in the Schedule.

(4) The employer of a person to whom a restricted area identification permit card has been issued who applies for renewal of the restricted area identification permit card after the period of three months before the expiry of the card shall pay a late renewal fee of P100.

43. (1) A person to whom a restricted area identification permit area identification permit card or a key has been issued shall immediately report its loss or card theft to his or her employer, police or the aerodrome operator that issued the restricted area identification permit card or key. Loss or theft of restricted area identification permit card

(2) An employer who is informed by an employee of the loss or theft of a restricted area identification permit card or key shall immediately report the loss or theft to the aerodrome operator that issued the card or key.

(3) An employer shall obtain from the police, a written police report after investigation of the loss have been carried out, and shall submit the report to the aerodrome operator.

44. (1) Before replacing a lost, stolen or damaged restricted identification permit card, an aerodrome operator shall ensure card that — Replacement of restricted area identification permit area

(a) the person applying for the replacement of restricted area identification permit card is the person to whom the lost, stolen or damaged restricted area identification permit card had been issued;

(b) the person's security vetting clearance is still valid; and

(c) the person pays a fee of P350.

(2) The aerodrome shall not issue a replacement for a lost, stolen or damaged vehicle permit card to a person or organisation unless the person or organisation to whom the vehicle belongs pays a fee of P700.

45. (1) A person issued with a restricted area identification permit card or a key shall immediately return it to the aerodrome operator that issued it when the restricted area identification permit card or key has been suspended, revoked or expired. Surrender of restricted area identification permit card

(2) When a restricted area identification permit card or key is returned to an employer, he or she shall immediately give it to the aerodrome operator.

(3) The employer of a person to whom a restricted area identification permit card has been issued shall immediately notify the aerodrome operator that issued the restricted area identification permit card when the person ceases to be an employee or no longer requires access to the restricted area in the course of his or her employment, and shall surrender the same to the aerodrome operator.

(4) A person in possession of a restricted area identification permit card shall, on demand, surrender the restricted area identification permit card to an authorised person.

(5) Any person who contravenes subregulations (1), (2), (3) and (4) commits an offence and is liable to a fine not exceeding P1 000 000, or to imprisonment for a term not exceeding two years, or to both.

46. (1) A person issued with a restricted area identification permit card under regulation 40 (3) or a vehicle permit card under regulation 40 (5) shall, while on duty, at all times properly display, in a conspicuous place, the restricted area identification permit card or the vehicle permit card.

Display of restricted area identification permit card

(2) Any person who fails to display a restricted area identification permit card shall be liable to an administrative penalty of P50 to be imposed by the Authority.

(3) Any person who fails to display in a vehicle for which a vehicle permit was issued, the vehicle permit card shall be liable to an administrative penalty of P200 to be imposed by the Authority.

47. (1) A person issued with a restricted area identification permit card shall, on demand by an authorised officer, produce the restricted area identification permit for inspection.

Restricted area identification permit card to be produced for inspection

(2) Any person who contravenes subregulation (1) shall be liable to an administrative penalty of P300 to be imposed by the Authority.

48. (1) Any person who does not require continuous access to a restricted area in the course of his or her employment may, if he or she requires access to a restricted area for an official business visit, make an application to the aerodrome operator for a restricted area visitor's permit in Form AVSEC 11 set out in the Schedule.

Restricted area visitor's permit

(2) An application for a restricted area visitor's permit in terms of subregulation (1) shall be made by the organisation whose employees require the aerodrome visit —

- (a) 48 hours prior to the proposed date of the visit; and
- (b) shall be accompanied by a fee of P50.

(3) Where the application for an aerodrome visit is approved, the aerodrome operator shall issue a restricted area visitor's permit to the person concerned in Form AVSEC 12 set out in the Schedule.

(4) A restricted area visitor's permit shall be valid for a period not exceeding three weeks and shall comply with the requirements of regulation 40.

(5) The organisation responsible for the person issued with a restricted area visitor's permit shall be liable for the condition of the restricted area visitor's permit and for ensuring that it is returned to the aerodrome operator at the end of the visit or on its expiration.

(6) Where the restricted area visitor's permit is not returned in accordance with subregulation (5), the organisation responsible for the person issued with such an aerodrome visitor's permit shall be liable to pay an administrative penalty of P300 to be imposed by the Authority.

49. (1) Any person who, or an organisation which needs to carry out any work in any part of the aerodrome shall make an application to the aerodrome operator for an aerodrome security work permit in Form AVSEC 13 set out in the Schedule.

Aerodrome security work permit

(2) An application for an aerodrome security work permit under subregulation (1) shall —

- (a) be made at least 48 hours prior to the start of the work;
- (b) provide the following information —

- (i) the name and address of the applicant,
 - (ii) names and national identity card numbers or passport numbers of the persons who will be carrying out the work,
 - (iii) area of the aerodrome where the work is to be carried out,
 - (iv) nature of the work to be carried out,
 - (v) name of the person who or organisation which hired the applicant,
 - (vi) the date and time when the work will start,
 - (vii) estimated date and time when work will be completed, and
 - (viii) the list of the equipment to be used; and
- (c) be accompanied by a fee of P500.

(3) Where the application meets all the requirements and the aerodrome operator is satisfied that safety and security requirements have been complied with, the aerodrome operator shall issue the applicant with an aerodrome security work permit in Form AVSEC 14 set out in the Schedule.

(4) An aerodrome security work permit shall be valid from the date of issue to the date specified as the date when work will be completed.

(5) Where work is to be carried out in a restricted area, the applicant shall in addition to the requirements set out in subregulations (1) and (2), make an application for restricted area visitor's permit for each employee in accordance with regulation 48.

(6) An aerodrome security permit shall at all times be in the possession of persons carrying out work throughout its validity period and shall on demand by a security officer or any authorised person be produced for inspection.

50. (1) A person in possession of a restricted area identification permit card in a restricted area shall, on demand, present the restricted area identification permit card to an authorised person making the demand.

(2) A person who refuses to comply with subregulation (1) shall on demand surrender the restricted area identification permit card to the authorised officer making the demand.

(3) A person in possession of a restricted area identification permit card who is being screened by an aviation security officer at a restricted area access point or at a location inside a restricted area shall, on demand present the card to the aviation security officer making the demand.

(4) A person in possession of a restricted area identification permit card who refuses to —

- (a) comply with subregulation (3); or
- (b) submit to an authorised search of their person or goods or other things in their possession or control when requested to do so by an aviation security officer,

shall, on demand, surrender the restricted area identification permit card to the aviation security officer making the demand.

(5) Any person who contravenes subregulations (1), (2), (3) and (4) commits an offence and is liable to a fine not exceeding P1 000 000, or to imprisonment for a term not exceeding two years, or to both.

(6) An authorised officer to whom a person surrenders a restricted area identification permit card under this regulation shall return the restricted area identification permit card to the aerodrome operator of the aerodrome at which the restricted area identification permit card is surrendered or the aerodrome operator that issued the restricted area identification permit card and escort the person out of the restricted area.

51. (1) An aerodrome operator shall not issue a key or assign a combination or personal identification code to a person for a restricted area unless —

- (a) the person is a person to whom a restricted area identification permit card has been issued and the card has not expired; or
- (b) the person is in possession of a document that is issued or approved by the Authority or aerodrome operator in accordance with security procedures as authorisation for the person to remain in the restricted area.

(2) An aerodrome operator may add a key functionality without damaging or altering any other elements of the card.

(3) An aerodrome operator shall cancel, remove or take back a key, combination code or personal identification code for a restricted area that has been issued or assigned to a person who has been issued a restricted area identification permit card if —

- (a) the person's restricted area identification permit card has been suspended, revoked or has expired; or
- (b) the person no longer requires access to the restricted area in the course of his or her employment.

52. (1) An aerodrome operator and any person designated by him or her to issue restricted area identification permit cards or keys shall—

- (a) keep at the aerodrome, updated records in respect of —
 - (i) restricted area identification permit cards and keys that have been issued for use at the aerodrome,
 - (ii) the names of the persons to whom restricted area identification permit cards or keys have been issued,
 - (iii) the names of the persons to whom combination codes or personal identification codes or keys have been issued,
 - (iv) blank restricted area identification permit cards in the aerodrome operator's possession,
 - (v) restricted area identification permit cards that have been suspended, revoked, cancelled or expired,
 - (vi) keys, combination codes or personal identification codes that have been cancelled, removed or taken back,
 - (vii) suspended, revoked, cancelled or expired restricted area identification permit cards that have not been retrieved by the Authority or the aerodrome operator,
 - (viii) restricted area identification permit cards that have been reported as lost or stolen, and
 - (ix) steps taken to retrieve suspended, revoked, cancelled or expired restricted area identification permit cards; and
- (b) provide the records to the Authority on request.

(2) Subject to subregulation (3), an aerodrome operator shall retain a record in respect of a restricted area identification permit card that has been suspended, revoked, cancelled or for a period of at least two years from the day on which the card was suspended, revoked, cancelled or expired.

(3) An aerodrome operator shall retain a record in respect of a restricted area identification permit card that has been reported as lost or stolen for a period of at least two years from the card's expiry date.

(4) Any person who contravenes this regulation commits an offence and is liable to a fine not exceeding P1 000 000, or to imprisonment for a term not exceeding two years, or to both.

Keys,
combination
codes
and personal
identification
codes

Records to be
kept by
aerodrome
operator

C. Escort and surveillance

Escort and
surveillance

53. (1) Except in the case of a passenger who has been screened in accordance with these Regulations, or a person authorised to carry out an inspection under the Act, an aerodrome operator shall ensure that any person who is in a restricted area and is not in possession of a restricted area identification permit card is escorted by a person in possession of a valid restricted area identification permit card or in the case of a confined area, kept under surveillance by a person in possession of a valid restricted area identification permit card.

(2) An aerodrome operator shall ensure that —

(a) at least one escort is provided for every 10 persons who require escort; and

(b) no more than 20 persons are kept under surveillance by one person at a time.

(3) An escort shall remain with the person under escort while they are in a restricted area.

(4) A person who appoints an escort shall —

(a) inform the escort of the requirement to remain with the person while they are in a restricted area; and

(b) ensure that the escort remains with the person under escort while they are in a restricted area.

(5) An aerodrome operator shall not be required to place escorts or surveillance personnel in a vehicle that is in a restricted area and is carrying persons who require escort or surveillance if the vehicle travels in convoy with an escort vehicle that contains at least one person in possession of a valid restricted area identification permit card.

(6) The aerodrome operator shall ensure that when they disembark from the vehicle in a restricted area, the persons who require escort or surveillance are escorted or kept under surveillance in accordance with subregulation (2).

(7) An aerodrome operator shall ensure that a person kept under escort or surveillance and any goods in their possession are screened at a screening checkpoint before the person enters a sterile area.

(8) Any person who contravenes this regulation commits an offence and is liable to a fine not exceeding P1 000 000, or to imprisonment for a term not exceeding two years, or to both.

Locking of
doors

54. (1) An aerodrome operator or a tenant at an aerodrome shall close and lock any door, gate or other device other than an emergency exit if —

(a) the aerodrome operator or the tenant has control of and the responsibility for the door, gate or other device; and

(b) the door, gate or other device allows access between a restricted area and a non-restricted area.

(2) An aerodrome operator and a tenant at an aerodrome shall institute a system on or near an emergency exit that prevents access by unauthorised persons to a restricted area if —

(a) the aerodrome operator and the tenant has control of and responsibility for the emergency exit; and

(b) the emergency exit allows access between a restricted area and a non-restricted area.

(3) A person shall not prevent a door, gate or other device other than an emergency exit that allows access between a restricted area and a non-restricted area from being locked.

(4) Any person who contravenes this regulation commits an offence and is liable to a fine not exceeding P1 000 000, or to imprisonment for a term not exceeding two years, or to both.

55. (1) Any person who has temporary use or control of a door, gate or other device that allows access between a restricted and a non-restricted area shall prevent access to or from the restricted area by unauthorised persons.

Access by
unauthorised
persons

(2) Unless an authorised person is controlling access between a restricted area and non-restricted area, a person who enters or leaves the restricted area shall —

(a) lock the door, gate or other device that allows access to or from the restricted area; and

(b) prevent access to or from the restricted area by unauthorised persons while the door, gate or other device is open or unlocked.

(3) Any person who contravenes this regulation commits an offence and is liable to a fine not exceeding P1 000 000, or to imprisonment for a term not exceeding two years, or to both.

56. (1) A person shall not open any door that is designated as an emergency exit and allows access to a restricted area unless —

Emergency
exit

(a) the emergency exit is a restricted area access point; or

(b) there is an emergency.

(2) Any person who contravenes this regulation commits an offence and is liable to a fine not exceeding P1 000 000, or to imprisonment for a term not exceeding two years, or to both.

57. (1) Subject to subregulation (3), a person shall not enter or remain in any part of an aerodrome that is not a public area if the person has been given oral notice, notice in writing or given notice by a sign that trespassing is prohibited or that entry is limited to persons who are authorised.

Trespassing

(2) Any person who contravenes subregulation (1) commits an offence and is liable to a fine not exceeding P1 000 000, or to imprisonment for a term not exceeding two years, or to both.

(3) An aerodrome operator or a tenant at an aerodrome who has use of, or is responsible for a part on an aerodrome that is not a public area may allow a person to enter or remain in that part of the aerodrome if —

(a) that part of the aerodrome is not a restricted area; and

(b) the safety of the aerodrome, persons at the aerodrome and aircraft is not jeopardised.

58. In any proceedings for an offence under regulation 57, or for attempting or conspiring with another person to commit such an offence, the court shall presume that no person accused in the proceedings had at any time an lawful right to enter or remain in the restricted area or in an area which is not a public area or any part thereof unless the contrary is proved.

Presumption

Part V — Response to threats, information reporting, tests and detention of aircraft

59. (1) An air carrier or aircraft operator who is not an air carrier that is made aware of a threat against an aircraft or flight shall immediately determine whether there is a specific threat that jeopardizes the security of the aircraft or flight.

Assessment of
threat to
flight by air
carrier and
aircraft
operator

(2) An air carrier or aircraft operator who is not an air carrier that determines that there is a specific threat that jeopardises the security of an aircraft or flight shall immediately take all necessary measures to ensure the safety of the aircraft and the passengers and crew on board the aircraft including —

- (a) informing the pilot-in-command, the crew members assigned to the aircraft or flight;
- (b) if the aircraft is on ground, moving it to a place of safety at the aerodrome according to the directions of the aerodrome operator; and
- (c) inspecting the aircraft and causing an authorised search of the passengers and goods on board the aircraft to be conducted, unless the inspection and search are likely to jeopardise the safety of the passengers and crew members.

(3) If the aircraft is on ground, the pilot-in-command shall comply with any direction given by the aerodrome operator under subregulation (2) (b) or a member of the police service unless complying with the direction is likely to jeopardise the safety of the passengers and crew members.

(4) Any air carrier, aircraft operator or pilot-in-command who contravenes this regulation commits an offence and is liable to a fine not exceeding P1 000 000, or to imprisonment for a term not exceeding two years, or to both.

Assessment
of threat to
facility

60. (1) An air carrier or aircraft operator who is not an air carrier that is made aware of a threat against a facility or part of an aerodrome under its control shall immediately determine whether there is a specific threat that jeopardises the security of the facility or part of the aerodrome.

(2) An air carrier or an aircraft operator who is not an air carrier that determines that there is a specific threat that jeopardises the security of a facility or part of an aerodrome, shall immediately take all necessary measures to ensure the safety of the facility or part of the aerodrome and persons at the facility or part of the aerodrome including informing the aerodrome operator and the appropriate police service of the threat.

(3) Any air carrier or aircraft operator who contravenes this regulation commits an offence and is liable to a fine not exceeding P1 000 000, or to imprisonment for a term not exceeding two years, or to both.

Assessment by
aerodrome
operator

61. (1) An aerodrome operator who is made aware of a threat against a facility or part of an aerodrome under his or her control in accordance with section 52 of the Act shall inform the police service of the nature of the threat in accordance with the National Civil Aviation Security Programme and the applicable Aerodrome Operator Security Programme.

(2) Any aerodrome operator who contravenes this regulation commits an offence and is liable to a fine not exceeding P1 000 000, or to imprisonment for a term not exceeding two years, or to both.

Threat to
facility under
control
of another
person

62. (1) An aerodrome operator who is made aware of a threat against a facility or part of an aerodrome that is under the control of a person carrying on any activity at the aerodrome other than the aerodrome operator or air carrier shall immediately —

- (a) notify the person of the nature of the threat; and
- (b) determine whether there is a specific threat that jeopardises the security of the aerodrome.

(2) Any aerodrome operator who contravenes this regulation commits an offence and is liable to a fine not exceeding P1 000 000, or to imprisonment for a term not exceeding two years, or to both.

63. (1) When a screening authority or any other person carrying on activity at an aerodrome is made aware of a threat against an aerodrome, he or she shall —

- (a) immediately notify the aerodrome operator of the nature of the threat; and
- (b) assist the aerodrome operator in determining whether there is a specific threat that jeopardises the security of the aerodrome.

(2) Any person who fails to notify or fails to assist in determining a specific threat against an aerodrome commits an offence and is liable to a fine not exceeding P1 000 000, or to imprisonment for a term not exceeding two years, or to both.

64. (1) If it is determined under regulation 59 or 60 that there is a specific threat that jeopardises the security of the aerodrome, the aerodrome operator shall immediately take all of the measures necessary to ensure the safety of the aerodrome and persons at the aerodrome, including informing the police service of the nature of the threat.

(2) Any person who contravenes this regulation commits an offence and is liable to a fine not exceeding P1 000 000, or to imprisonment for a term not exceeding two years, or to both.

65. (1) The Authority shall take adequate measures when reliable information exists that an aircraft may be subjected to an act of unlawful interference —

- (a) if the aircraft is on ground, to safeguard the aircraft and ensure that the aircraft is searched for concealed weapons, explosives or other dangerous devices, articles or substances and prior notification of the search shall be provided to the aircraft operator concerned; and
- (b) if the aircraft is in flight to provide as much prior notification as possible of the arrival of that aircraft to relevant aerodrome authorities and air traffic services of the State and aircraft and aerodrome operators concerned.

(2) The Authority shall ensure that arrangements are made to investigate, render safe or dispose of, if necessary suspected dangerous devices or other potential hazards at aerodromes.

(3) The Authority shall ensure that authorised and suitably trained personnel are readily available for deployment at every aerodrome serving civil aviation to assist in dealing with suspected or actual cases of unlawful interference.

66. The Authority shall —

- (a) take adequate measures for the safety of passengers and crew of an aircraft which is the subject of an act of unlawful interference while on the ground until their journey can be continued;
- (b) collect all pertinent information on the flight which is the subject of an act of unlawful interference and transmit that information to all other States responsible for the Air Traffic Services units concerned, including those at the aerodrome of known or presumed destination so that timely and appropriate safeguarding action may be taken en-route and at the aircraft's known, likely or possible destination;
- (c) provide such 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; and

Other persons
aware
of threat

Necessary
measures
following
assessment

Prevention of
acts of
unlawful
interference
by Authority

Authority's
response
to acts of
unlawful
interference

- (d) notify the State of registry of an aircraft and the State of the operator of the landing aircraft subjected to an act of unlawful interference and shall similarly transmit, by the most expeditious means all other relevant information to —
- (i) the State of registry and the State of the operator,
 - (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.

Mandatory
reporting

67. (1) Every aircraft operator shall, where an act of unlawful interference occurs, immediately notify the Authority.

(2) A pilot-in-command and air navigation service provider shall submit to the Authority —

- (a) a preliminary written report within 96 hours after the occurrence of an act of unlawful interference, including sabotage, threats, hijacks, incidents and disruptive passengers; and
- (b) a final written report upon completion of investigations, within 30 days after the occurrence of an act of unlawful interference, including sabotage, threats, hijacks, incidents and disruptive passengers.

(3) Any operator or pilot-in-command who contravenes this regulation commits an offence and is liable to a fine not exceeding P1 000 000, or to imprisonment for a term not exceeding two years, or to both.

Reporting by
air carrier

68. (1) An air carrier shall immediately notify the police service and the Authority when the following incidents occur —

- (a) the hijacking or attempted hijacking of an aircraft;
- (b) the discovery, on board an aircraft, of a weapon, other than an unloaded firearm allowed under regulations 26 (2) and 28 (1);
- (c) the discovery on board an aircraft of an explosive substance or an incendiary device, other than an explosive substance or incendiary substance allowed on board an aircraft under regulation 30 (3);
- (d) an explosion on an aircraft unless the explosion is known to be a result of an accident;
- (e) a specific threat against an aircraft, a flight or facility or part of an aerodrome under the air carrier's control; or
- (f) an aviation security incident that involves a police officer in any part of an aerodrome under the air carrier's control.

(2) An air carrier shall immediately notify the police service and the aerodrome operator when a weapon other than a firearm allowed under regulation 24 (1), 26 (1), 28 (2) or 29 is detected in any part of the aerodrome under its control.

(3) Any person who contravenes this regulation commits an offence and is liable to a fine not exceeding P1 000 000, or to imprisonment for a term not exceeding two years, or to both.

Reporting by
aerodrome
operator

69. (1) An aerodrome operator shall, in the case where he or she is not the Authority, immediately notify the police service and the Authority when the following incidents occur —

- (a) the discovery, at the aerodrome, of a weapon, other than an unloaded firearm allowed under regulation 26 (2), 28 (2) or 29;

- (b) the discovery at the aerodrome of an explosive substance or an incendiary device, other than an explosive substance or incendiary substance allowed on board an aircraft under regulations 30 (1) and 30 (2);
- (c) an explosion at the aerodrome unless the explosion is known to be a result of an accident, excavation, demolition, construction or the use of fireworks displays;
- (d) a specific threat against the aerodrome; or
- (e) an aviation security incident that involves a police officer anywhere at the aerodrome other than areas under air carrier's control.

(2) Any person who contravenes this regulation commits an offence and is liable to a fine not exceeding P1 000 000, or to imprisonment for a term not exceeding two years, or to both.

70. (1) A screening authority shall immediately notify the appropriate air carrier, aerodrome operator, if the air carrier is not the screening authority, the police service and in the case where the screening authority and the aerodrome operator are not the Authority, the Authority, if any of the following is detected at a restricted area access point or any part of an aerodrome where screening of persons, carry-on baggage or other things in their possession or control or vehicles under their care and control is conducted —

Reporting by
screening
authority

- (a) a weapon, other than a weapon allowed under regulation 26 (1) or a firearm allowed under regulation 26 (2), 28 or 29;
- (b) an explosive substance other than —
 - (i) ammunition carried by a person allowed to carry or have access to a weapon or firearm under regulations 26, 28 or 29, or
 - (ii) an explosive substance allowed under regulation 30 (1); or
- (c) an incendiary device, other than an incendiary device allowed under regulation 30 (1).

(2) A screening authority shall immediately notify the appropriate air carrier, the aerodrome operator, if the air carrier or aerodrome operator is not the screening authority and the police service and, in a case where the screening authority or the aerodrome operator is not the Authority, the Authority when any of the following is detected in checked baggage —

- (a) a loaded firearm;
- (b) an explosive substance, other than ammunition; or
- (c) an incendiary device.

(3) Any person who contravenes this regulation commits an offence and is liable to a fine not exceeding P1 000 000, or to imprisonment for a term not exceeding two years, or to both.

PART VI — *Security information*

A. *Keeping of records*

71. (1) Every operator shall keep a record of every security incident occurring in the course of his or her operations.

Operator to
keep records

(2) Except if otherwise stipulated in other relevant regulations, directions, circulars in force in Botswana, a record required to be kept under subregulation (1) shall —

- (a) be kept for a minimum of two years;
- (b) be submitted to the Authority upon request; and
- (c) where relevant, include —

- (i) the number and type of weapons and incendiary devices discovered during any passenger screening process and the method of detection of each,
- (ii) the number of acts and attempted acts of unlawful interference,
- (iii) the number of bomb threats received, real and simulated bombs found and actual bombings or explosions at the aerodrome, and
- (iv) the number of detentions and arrests and the immediate disposition of each person detained or arrested.

(3) Any operator who contravenes this regulation commits an offence and is liable to a fine not exceeding P1 000 000, or to imprisonment for a term not exceeding two years, or to both.

Provision of information by air carrier

72. (1) An air carrier shall provide to the Authority, on reasonable notice given by the Authority, written or electronic records or other information relevant to the security of its operations —

- (a) information concerning the method of implementing the security measures that apply to the air carrier under the National Aviation Security Programme and other security programmes referred to in Part VII, where applicable; and
- (b) a description of the nature of operations related to a particular flight and the services provided in respect of the flight.

Provision of information by aerodrome operator

73. (1) An aerodrome operator shall keep at the aerodrome, a current scale map of the aerodrome that identifies the restricted areas, security barriers and restricted area access points.

(2) The aerodrome operator shall provide to the Authority, on reasonable notice given by the Authority, written or electronic records or other information relevant to the security of the aerodrome including —

- (a) information concerning the method of implementing the security measures that apply to the aerodrome operator under the National Aviation Security Programme and other security programmes referred to in Part VII, where applicable; and
- (b) a copy of the scale map referred to in subregulation (1).

Provision of information by service providers, regulated agents and catering operators

74. Operators who provide services to an air carrier related to transportation of accepted cargo or mail by air, shall provide to the Authority, on reasonable notice given by the Authority, written or electronic records or other information relevant to the security of the air carrier's operations including —

- (a) information concerning the method of implementing the security measures that apply to the air carrier under the National Aviation Security Programme and other security programmes referred to in Part VII, where applicable; and
- (b) a description of the nature of operations related to a particular flight and the services provided in respect of the flight.

Provision of information by screening authority

75. A screening authority shall, in the case where it is not the Authority, provide to the Authority, on reasonable notice given by the Authority, written or electronic records or other information relevant to the security of its screening operations including —

- (a) information concerning the method of implementing the security measures that apply to the air carrier under the National Aviation Security Programme and other security programmes referred to in Part VII, where applicable; and
- (b) a description of the nature of screening operations related to a particular flight or at a particular aerodrome.

76. The Authority shall provide to the National Aviation Security and Facilitation Committee, on reasonable notice given by the Committee, written or electronic records or other information concerning the implementation of the security measures under the Act.

Provision of information by Authority

B. Testing, exercises and changes of security measures

77. (1) An aerodrome operator shall ensure that various components of the practical implementation of aviation security measures including equipment, personnel and procedures are tested every three months, in order to monitor the effectiveness of the security measures in place.

Testing

(2) The Authority may, depending on the level of security threat against civil aviation, prescribe a shorter interval for testing of the various components of the practical implementation of aviation security measures under subregulation (1) as it considers necessary.

78. An aerodrome operator shall ensure that exercises designed to test aviation security measures are developed and carried out to determine the effectiveness of procedures and contingency plans and for the management of response to acts of unlawful interference.

Exercises

79. (1) In a case where the aerodrome operator is not the Authority, the aerodrome operator shall —

Changes at the aerodrome

(a) provide to the Authority, written notice of any new commercial air services that is to begin at the terminal building; and

(b) before the implementation of any renovation, remodeling or expansion works at the aerodrome, or the construction of new or additional aerodrome facilities, submit to the Authority for approval, the plans for the renovation and expansion works.

(2) The Authority shall in approving the plans submitted to it under subregulation (1) (b), assess the plans to ensure that security considerations are properly addressed and that the need of aviation security are integrated in the configuration of the works.

Part VII — *Security Programmes*

80. (1) For the purposes of section 51 of the Act, an aerodrome operator shall establish and implement an Aerodrome Operator Security Programme in accordance with the layout model Aerodrome Operator Security Programme provided in Form AVSEC 15 set out in the Schedule.

Aerodrome Operator Security Programme

(2) An Aerodrome Security Programme shall —

(a) detail the specific security measures and procedures to be implemented at the aerodrome;

(b) provide for the appointment of a person who shall coordinate the implementation of the National Civil Aviation Security Programme at the aerodrome;

(c) provide for the establishment of an Aerodrome Security Committee;

(d) require the integration of the needs of aviation security into the design and construction of new facilities and alterations to existing facilities at the aerodrome;

(e) contain a contingency plan providing for matters including —

- (i) measures and procedures in case of hijack of aircraft and hostage-taking at the aerodrome and on board the aircraft,
 - (ii) access and procedures in case of sabotage including bomb threats to aircraft and to the aerodrome,
 - (iii) access and procedures in case of terrorist attacks using man portable air defence systems or chemical, biological and other weapons,
 - (iv) procedures when a prohibited item is found or believed to be on board an aircraft,
 - (v) evacuation and search of aircraft on the ground, and
 - (vi) the special security measures to be enacted during periods of increased threat or for critical flights and routes; and
- (f) contain any other matter required by the Authority.

(3) Where the Authority approves an Aerodrome Operator Security Programme, it shall issue the aerodrome operator with a certificate of approval of an Aerodrome Operator Security Programme in Form AVSEC 16 set out in the Schedule.

Aircraft
Operator
Security
Programme

81. (1) For purposes of section 53 of the Act, an aircraft operator shall establish and implement an Aircraft Operator Security Programme in accordance with the layout model Aircraft Operator Security Programme provided in Form AVSEC 17 set out in the Schedule.

- (2) An Aircraft Operator Security Programme shall include —
- (a) the objectives of the programme and responsibility for ensuring its implementation;
 - (b) the organisation of the aircraft operator's security functions and responsibilities, including the designation of the operator in charge of aviation security;
 - (c) specific security measures including —
 - (i) pre-flight security checks of aircraft,
 - (ii) procedures for the screening of passengers carry-on baggage and checked baggage if this function is not assigned to the aerodrome operator,
 - (iii) procedures to ensure that no weapons, explosives and other dangerous devices are left on board by disembarking passengers at transit stops,
 - (iv) reconciliation of checked baggage with boarding passengers including transit and transfer passengers,
 - (v) treatment of passengers who have been the subject of judicial or administrative proceedings,
 - (vi) procedures for the carriage of weapons in the cabin compartment and the aircraft hold,
 - (vii) in-flight procedures when a prohibited item is found or is believed to be on board an aircraft,
 - (viii) security of, and control of access to parked aircraft,
 - (ix) protection of checked baggage, cargo, mail and aircraft catering supplies and stores,
 - (x) response procedures for crew members and other staff to occurrences and threats,
 - (xi) protection of flight documents, and

- (xii) procedures for screening, securing and control of known stores and unknown stores;
 - (d) measures to ensure the effectiveness of the programme, including adequate training of staff and the periodic testing and evaluation of the security programme;
 - (e) prevention of unauthorised passengers; and
 - (f) any other matter required by the Authority.
- (3) Where the Authority approves an Aircraft Operator Security Programme, it shall issue the aircraft operator with a certificate of approval of an Aircraft Operator Security Programme in Form AVSEC 18 set out in the Schedule.

82. (1) For purposes of section 54 of the Act, a regulated agent shall establish and implement a Regulated Agent Security Programme in accordance with the layout model Regulated Agent Security Programme provided in Form AVSEC 19 set out in the Schedule.

Regulated
Agent
Security
Programme

- (2) A Regulated Agent Security Programme shall contain —
- (a) provisions to meet requirements of the National Civil Aviation Security Programme, the Act and other security programmes referred to in this Part where applicable;
 - (b) procedures to respond to rules, 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 and transport facilities,
 - (iii) recruitment and training of staff involved in the implementation of security controls, and
 - (iv) reporting of incidents; and
 - (e) any other matter required by the Authority.
- (3) Where the Authority approves a Regulated Agent Security Programme, it shall issue the regulated agent with a certificate of approval of a Regulated Agent Security Programme in Form AVSEC 20 set out in the Schedule.

83. (1) For the purposes of section 55 of the Act, a catering operator shall establish and implement a Catering Operator Security Programme in accordance with the layout model Catering Operator Security Programme provided in Form AVSEC 21 set out in the Schedule.

Catering
Operator
Security
Programme

- (2) A Catering Operator Security Programme shall contain —
- (a) provisions to meet requirements of the National Aviation Security Programme, the Act and other security programmes referred to in this Part where applicable;
 - (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, and
 - (iv) reporting of incidents; and
 - (d) any other matter required by the Authority.

Operator
Aviation
Security
Training
Programme

(3) Where the Authority approves a Catering Operator Security Programme, it shall issue the catering operator with a certificate of approval of a Catering Operator Security Programme in Form AVSEC 22 set out in the Schedule.

84. For the purposes of section 57 of the Act, an Operator Aviation Security Training Programme shall include —

- (a) training of appropriate employees, taking into account human factors principles and human performance; and
- (b) training to acquaint appropriate employees with preventive measures and techniques in relation to passengers, baggage, cargo, mail, equipment, stores and supplies intended for carriage on an aircraft to enable them to contribute to the prevention of acts of sabotage, unlawful seizure of aircraft or other forms of unlawful interference and to minimize the consequences of such events should they occur.

Application
for approval
of Security
Training
Programme

85. (1) Where a Security Training Programme is required to be approved by the Authority under sections 57 and 58 of the Act, the applicant shall —

- (a) submit the Security Training Programme to the Authority, ensuring that it meets the requirements of the National Aviation Security Programme, the Act and any other relevant law, regulations and security programmes; and
- (b) pay a fee of P2000.

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

Approval of
Security
Training
Programme

86. (1) Where the Authority is satisfied that a Security Training Programme submitted under regulation 85 meets the requirements of the Act, the National Civil Aviation Security Programme and any other relevant law, regulation and other security programme referred to in this Part, the Authority shall within 30 days after receipt of the programme approve the security or training programme and shall issue the applicant with a certificate of approval of Security Training Programme in Form AVSEC 23 set out in the Schedule.

(2) Where the Authority determines that a Security Training Programme submitted under subregulation (1) does not meet the requirements of the Act, the National Aviation Security Programme or other relevant law or regulation, the Authority shall, within 30 days after receipt of the programme, direct the applicant to modify and re-submit the Security Training Programme to the Authority within 30 days after receipt of the direction of the Authority by the applicant.

(3) Where the Authority is satisfied that a Security Training Programme re-submitted under subregulation (2) meets the requirements of the Act, the National Aviation Security programme and any other relevant law, regulation and other security programme referred to in this Part, the Authority shall within 30 days after receipt of the Security Training Programme approve the Security Programme.

(4) A Security Training Programme approved under this regulation shall be valid for a period of two years from the date of such approval.

(5) A Security Training programme approved under this regulation shall be reviewed by the National Aviation Security and Facilitation Committee on annual basis.

87. (1) An operator whose Security Training Programme has been approved by the Authority under regulation 86 may, at least three months before the expiry apply for renewal of the approved Security Training Programme.

(2) An application for renewal of approved Security Training Programme in terms of subregulation (1) shall be accompanied by a fee of P1 500.

(3) Where an application for renewal complies with subregulations (1) and (2), the Authority may approve the Security Training Programme for a further period of two years.

(4) An operator who applies for renewal of the security Training Programme after the period of three months before the expiry of the Programme shall pay late renewal fee of P500.

(5) An operator who fails to renew their approved Security Training Programme shall be liable to an administrative penalty of P1000 to be imposed by the Authority.

88. (1) Where the Authority determines that an operator's security or programme requires amendment as may be necessary to meet requirements of the Act, the National Aviation Security Programme, regulations or any circulars, publications, requirements and directions issued by the Authority, the Authority may direct the operator to amend the security or training programme and submit it to the Authority for approval.

(2) The Authority shall, where an amended security programme is submitted to it under subregulation (1), approve the security or training programme in accordance with the procedure in regulation 86.

89. (1) Where a security or training programme has been approved, the operator or agent, where applicable, shall comply with the procedure prescribed under subregulation (2) whenever the operator determines that —

(a) any description of the area set out in the security or training programme is no longer accurate; or

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

(2) Whenever a situation described in subregulation (1) occurs, the operator, where applicable shall —

(a) immediately notify the Authority of the changed conditions and identify each interim measure being taken to maintain adequate security until approval is granted for an appropriate amendment of the security or training programme; and

(b) within 30 days after notifying the Authority in accordance with paragraph (a) submit for approval in accordance with the procedure set out under regulation 85, an amendment to the security programme to bring it into compliance with the Act and these Regulations.

(3) The Authority shall, where an amendment to a security or training programme is submitted to it under subregulation (2) (b), approve the amendment in accordance with the procedure set out under regulation 86.

90. Subject to the transition period referred to in section 64 of the Act, a person who fails to implement a security programme referred to in sections 51, 53, 54, 55, 56 and 57 of the Act and this Part commits an offence and is liable to a fine specified in that section.

Renewal of approved Security Training Programme

Amendment of an approved security or training programme

Changed conditions affecting security

Failure to implement security programmes

Part VII – *Miscellaneous*

Enforcement
notice

91. (1) For the purpose of sections 29 and 59 (2) (a) of the Act, where the Authority is satisfied on reasonable grounds that a person has not complied with any provision of these Regulations for which an administrative penalty is to be imposed by the Authority, the Authority, or any person authorised, in writing, by the Authority for this purpose may issue the person with an enforcement notice.

(2) This regulation does not —

- (a) affect the liability of the person to be prosecuted for non-compliance if an enforcement notice is not issued to the person; and
- (b) affect the liability of the person to be prosecuted for non-compliance if the person does not comply with an enforcement notice issued in regard to the person's non-compliance.

(3) An enforcement notice shall —

- (a) bear a serial number;
- (b) state the name of the person authorised, in writing, by the Authority for this purpose, who issued it;
- (c) state the date of issue of such enforcement notice;
- (d) state the full name, or surname and initials and the address of the person to whom it is issued;
- (e) give brief details of the non-compliance for which it is issued including —
 - (i) the date and time of the non-compliance,
 - (ii) where the non-compliance occurred, and
 - (iii) the provision of these Regulations not complied with;
- (f) state the administrative penalty for the non-compliance payable under the enforcement notice;
- (g) state where and how that administrative penalty can be paid including whether the penalty can be paid by posting the payment, and if so, the place which it is to be posted;
- (h) state that if the person to whom it is issued pays the total amount of the administrative penalty within 30 days after the day on which the notice is served, or any longer time allowed in writing by the Authority any person authorised, in writing, by the Authority for this purpose person, then —
 - (i) any liability of the person to whom it is issued for the non-compliance will be discharged,
 - (ii) the person to whom the enforcement notice is issued will not be prosecuted in a court for the non-compliance, and
 - (iii) the person to whom the enforcement notice is issued will not be taken to have been convicted for the non-compliance;
- (i) state the greatest penalty that a court could impose on the person to whom an enforcement notice has been issued for the non-compliance;
- (j) state that if the person to whom an enforcement notice is issued is prosecuted in court and found guilty of the non-compliance, he may be ordered to pay penalty and costs and may be subject to any other order that the court makes;
- (k) state how and to whom the person to whom an enforcement notice is issued can apply to be allowed more time to pay the administrative penalty; and
- (l) be signed by the person who issued it.

(4) An enforcement notice may contain any other information that the person authorised, in writing, by the Authority for this purpose who issued it thinks necessary.

92. (1) (1) An enforcement notice shall be served on the person to whom it is issued.

Service of
enforcement
notice

(2) An enforcement notice may be served on a person or a body corporate in the manner specified in section 62 of the Act.

93. (1) For the purposes of section 60 of the Act, a person may apply to the Minister for an exemption from any section of the Act, any provision of these Regulations or any specific security requirements, bye-laws, directions, notices or information made or issued under them.

Application
for exemption

(2) An application for exemption shall be made in writing and shall be submitted at least 60 working days before the proposed effective date.

(3) A request for exemption shall contain the applicant's —

- (a) name;
- (b) physical address and mailing address;
- (c) telephone number;
- (d) fax number; and
- (e) e-mail address.

(4) An application for exemption shall contain the following —

- (a) a citation of the specific security requirement form which the applicant seeks exemption;
- (b) a justification for the exemption;
- (c) a description of the type of operations to be conducted under the proposed exemption;
- (d) the proposed duration of the exemption;
- (e) an explanation of how the exemption would be in the public interest;
- (f) a detailed description of the alternative means by which the applicant will ensure a level of security equivalent to that established by the security requirement in question and how aviation security will not be affected;
- (g) a review and discussion of any known security concerns with the security requirement;
- (h) if the applicant seeks to operate under the proposed exemption outside of Botswana airspace, the application shall indicate whether the exemption would contravene any provision of the Standards and Recommended Practices contained in any annex to the Chicago Convention issued by the International Civil Aviation Organization as well as the Regulations pertaining to the airspace in which the operation will occur;
- (i) a fee of P5 000; and
- (j) any other relevant information that the Minister may require.

(5) Where the applicant seeks emergency processing, the application shall contain supporting facts and reasons why the application was not timely filed and reasons why it is an emergency.

(6) The Minister may refuse an application if the Minister is of the view that the applicant did not justify the failure to file an application timely.

Grant or
refusal of
exemption

94. (1) The Minister shall, within 60 days after receiving the application, grant or refuse the application for exemption.

(2) The Minister shall review the application for accuracy and compliance with the requirements of regulation 93.

(3) If on the face of it the application satisfies the provisions of regulation 93 and the Minister determines that a review of its merits is justified, the Minister shall publish a detailed summary of the application in an aeronautical circular or at least one local newspaper for comments and shall specify the date by which comments shall be received by the Minister for consideration.

(4) Where the filing requirements under regulation 93 have not been met, the Minister shall notify the applicant and take no further action until and unless the applicant corrects the application and re-files it in accordance with regulation 93.

(5) If request is for emergency relief, the Minister shall publish the application or the Minister's decision as soon as possible after processing the application.

(6) After initial review, if the filing requirements have been satisfied, the Minister shall conduct an evaluation of the request to include —

- (a) due regard to the impracticability for the applicant of the security requirements from which exemption is required;
- (b) carry out a risk assessment to determine the threat levels;
- (c) determination of whether an exemption would be in the public interest;
- (d) a determination, after a technical evaluation of whether the applicant's proposal would provide a level of security equivalent to that established by the security requirement although where the Minister decides that a technical evaluation of the request would impose a significant burden on the Minister's technical resources, the Minister may refuse the exemption on that basis;
- (e) a determination of whether a grant of the exemption would contravene the applicable International Civil Aviation Organization Standards and Recommended Practices; and
- (f) a recommendation based on the preceding elements, of whether the request should be granted or refused, and of any conditions or limitations that should be part of the exemption.

(7) The Minister shall notify the applicant by letter and publish a detailed summary of its evaluation and decision to grant or refuse the request, which summary shall specify the duration of the exemption and any conditions of the exemptions.

(8) The Minister may impose conditions on an exemption granted under the Act and shall state the duration of the exemption.

(9) Where the Minister refuses to grant an exemption, the Minister shall inform the applicant in writing and shall give the applicant reasons in writing for refusing the application.

95. (1) Where a person commits an offence under these Regulations, he or she may in addition to any penalty that may be imposed —

- (a) where the offender is the holder of any Botswana aviation licence, permit, certificate or authorisation, or is the owner or operator of any aircraft, aerodrome or other facility in respect of which a licence, permit, certificate or authorisation was issued, be liable to have such licence, permit, certificate or authorisation cancelled; or
- (b) have their licence, permit, certificate or authorisation suspended for a period as may be specified or have their operations suspended in relation to places as may be specified.

(2) Where these Regulations are contravened in relation to an aircraft, the operator of that aircraft and the pilot-in-command, and if the pilot-in-command or operator is not the person who contravened these Regulations, then without prejudice to the liability of any other person, the pilot-in-command or the operator shall be deemed for purposes of these Regulations to have contravened these Regulations unless he or she proves that the contravention occurred without his or her consent and that he or she exercised all due diligence to prevent the contravention.

(3) Where these Regulations are contravened in relation to an aerodrome or air navigation installation, the aerodrome operator or operator of the air navigation installation shall, without prejudice to the liability of any other person, be deemed for purposes of these Regulations to have contravened these Regulations unless he or she proves that the contravention occurred through no act or omission on his or her part, that he or she was not aware that the contravention was occurring or was about to occur or that he or she took all reasonable steps to prevent the contravention.

C.444

SCHEDULE

FORM AVSEC 1

CLEANING COMPANY SECURITY DECLARATION

Reg. 3 (2) (f) (iii)

Name of cleaning company:.....

Address of cleaning company:.....

.....

On behalf of the above named company, the undersigned certifies that:

1. The security requirements of the National Civil Aviation Security Programme are fully and properly implemented by the [name of company] to ensure that aircraft cleaning supplies do not contain any restricted articles which may endanger the safety of an aircraft, its passengers and crew; and
2. The company has:
 - a. implemented, and continues to maintain, a security programme detailing security measures and procedures applicable to cleaning supplies;
 - b. appointed a security officer to be responsible for implementing required security measures and the related quality control measures;
 - c. properly recruited and trained its staff to correctly receive, process and handle cleaning supplies; and
 - d. taken the steps necessary to safeguard cleaning supplies from the time they are received at the cleaning facility until they are delivered to an aircraft.

I understand that a false declaration may have legal consequences.

Name:

Position held:

Date:

Signature:

Company stamp:

FORM AVSEC 2

CONSIGNMENT SECURITY DECLARATION
Reg. 3 (4) (c)

THIS CARGO HAS BEEN "SECURITY CLEARED"

I.....and authorised representative of
.....with approval NO:.....declare that the

cargo Airway Bill No(s):
Has been screened, security cleared and handled in accordance with the requirements of the Aviation Security(General) Regulations. The cargo was made KNOWN using the following method(s) [tick applicable]:

- Searched by hand/Physical check
- X-ray Screening
- Screened by use of explosive detection dogs with trained handlers
- Other means:
- Received from a KNOWN Consignor

The cargo was made tamper evident using the following:

Seal Number.....(where applicable)

Cargo will be delivered by:.....(insert name)

Signed:.....(*duly authorised)

Name (Block Letter).....

POSITION:.....

Date.....

FORM AVSEC 3

KNOWN CONSIGNOR'S CARGO SECURITY DECLARATION
Reg. 6 (2) (h)

(Regulated Agent or Known Consignor's Letterhead)

Identifier (of the regulated agent or known consignor issuing the security status)		Unique reference identifier (if air waybill format is xxxx)	
Content of the consignment			
Consolidation <input type="checkbox"/>			
Origin (Codes if any)	Destination (Codes if any)	Screening method (Codes if any)	Grounds for exemption (Codes if any)
Regulated agent identifier(s) (i.e all regulated agents who accepted this security declaration)			
Additional security INFORMATION			
Security declaration is by (name of person or employee number)		Security declaration issue on	
		Date (dd/mm/yyyy)	
		Time (ttt):	

The above shipment is tendered for carriage by air: The undersigned, on behalf of [name of agent], hereby understands that any false information will lead to criminal prosecution, and confirms that:

1. I have received proper training and have been given the authority to make this cargo security declaration;
2. The originator of the cargo is known to me, and to the best of my knowledge, the contents are as stated and safe for transport on a passenger or all-cargo aircraft;
3. The goods have been protected and secured during storage and transport at all stage of transit in accordance with the National Civil Aviation Security Programme and the applicable Regulated Agent Security Programme
4. I agree that packaging and the contents of the consignment maybe examined for security reasons.

Signature:.....

FORM AVSEC 4				
APPLICATION FOR APPROVAL AS KNOWN COSIGNOR <i>Reg. 7 (1), Reg. 8 (1)</i>				
Mark the appropriate block:				
Application for approval as a known cosignor				
Application for the renewal of approval				
Notes:				
<ul style="list-style-type: none"> • An application for approval as a known cosignor must comply with the provisions of Regulation 7 of Aviation Security (General) Regulations • An application for the renewal of certificate of approval as known cosignor must comply with the provisions of Regulation 8 of the Aviation Security (General) Regulations • All Sections of this form must be completed • Attach on a separate document, details of the nature of business, operation and location • The original application must be submitted to the Chief Executive Officer, Aviation Security 				
1	PARTICULARS REGARDING THE APPLICANT/KNOWN COSIGNOR			
1.1	Full name:			
1.2	Trade name:			
1.3	Full business address/residential address			
1.4	Postal address:			
1.5	Telephone number:			
1.6	Fax number:			
1.7	Cellular phone number:			
1.8	Email address:			
1.9	Legal status of applicant/holder (individual/close corporation/company/trust/other – specify)			
1.10	Registration number in the case of a close corporation/company/trust			
1.11	Full particulars in respect of the individual/each responsible director/shareholder/member/officer bearer			
	NAME	POSITION	IDENTITY NUMBER	NATIONALITY
				COUNTRY OF PERMANENT RESIDENCE
1.12	The application/holder declare hereby that the particulars provided in this application are true in every respect			
SIGNATURE OF APPLICATION or AUTHORITY REPRESENTATIVE		NAME IN BLOCK		DATE

FORM AVSEC 5

CERTIFICATE OF APPROVAL AS KNOWN CONSIGNOR
Reg. 7 (4), Reg. 8 (4)

1. Certificate Number:	
2. Expiry date:	
3. Description of known consignor:	
4. Name of known consignor:	
5. Physical address of known consignor:	6. Postal address:
7. Conditions and restrictions:	
8. I, hereby certify that the holder of this certificate has been duly approved in accordance with Regulation 7 of the Civil Aviation Security (General) Regulations. Name: Designation: Date: Chief Executive Officer/On behalf of Chief Executive Officer	

FORM AVSEC 6

CATERING OPERATOR SECURITY DECLARATION
Reg. 18 (3)

Name of catering operator:

Address of catering operator:
.....

On behalf of the above named operator, I, the undersigned certify that:

1. The security requirements of the National Civil Aviation Security Programme are fully and properly implemented by the [name of operator] to ensure that catering supplies and stores do not contain any restricted articles which may endanger the safety of an aircraft, its passengers and crew; and
2. The catering operator has:
 - a. implemented, and continues to maintain, a security programme detailing security measures and procedures applicable to catering stores and supplies;
 - b. appointed a security officer to be responsible for the implementing the required security measures and the related quality control measures;
 - c. properly recruited and trained its staff to correctly receive, process and handle catering supplies and stores; and
 - d. taken the steps necessary to safeguard catering supplies and stores from unauthorised interference from the time they are received at the catering facility until they are delivered to an aircraft.

I understand that a false declaration may have legal consequences.

Name:

Position held:

Date:

Signature:

Company stamp:

FORM AVSEC 7

APPLICATION FOR RESTRICTED AREA IDENTIFICATION PERMIT CARD
Reg. 40 (1) (a), Reg. 42 (2) (a)

This application form is required to be completed by the employer who requires any of his employee(s) to have access to restricted area(s) of the aerodrome. The application form shall be signed by the head of the organisation/ department or a person authorised by him or her. Name of such authorised person is to be submitted to the Manager of the concerned aerodrome, or Manager Aviation Security, Civil Aviation Authority Botswana, Head Office.

This application entails a responsibility on the part of the employer to have carried out adequate inquiries to ensure that the individual will not be a threat to aerodrome security. Any change in the status of employment e.g. promotion, change in area of work, transfer, deaths/retirement should be immediately notified to the Manager of the concerned aerodrome.

First application/renewal [Please circle the appropriate]

DETAILS OF EMPLOYEE

1. Full Name of employee.....
(Please underline the surname)
 - (i) Male/Female.....
 - (ii) Current restricted area identification permit card Number (if renewal).....
 - (iii) Expiry date of the restricted area identification permit card.....
2. Organisation/section
3. Designation.....
4. i. Residential Address (Physical).....
ii. Postal Address.....
5. Identification (OMANG/Passport No.).....(Attach copy)
Work permit No.(Attach copy)
Resident permit No.....(Attach copy)
6. Date of birth
7. Place of birth
8. Nationality
9. Date of first appointment
10. Date of appointment to present post
11. Please give details if the employee has got any adverse police record
12. Duty place at the aerodrome.....
(For employees working at the aerodrome)

13. Areas for which access is required.....

14. Justification for access to restricted area(s).....

DATE.....

Signature of the Employer or
Employer's authorised signatory

Name:.....

Official Use Only

Approved/Not approved

Comments

Signature Manager Aerodrome/AVSEC:Date

Processed by.....(name of AVSEC Officer)

SignatureDate.....

Restricted area identification permit card Number

C.452

FORM AVSEC 8

RESTRICTED AREA IDENTIFICATION PERMIT CARD
Reg. 40 (3), Reg. 42 (3)

<p>AIRPORT NAME</p> <p>AIRPORT ZONE</p> <div data-bbox="686 421 891 683" style="border: 1px solid black; border-radius: 15px; text-align: center; padding: 10px;"><p>PICTURE</p></div>
<p>DESIGNATION/POSITION</p>
<p>SURNAME:</p> <p>FIRST NAME:</p> <p>ORGANISATION:</p> <p>SIGNATURE OF HOLDER:</p> <p>EXPIRY DATE:</p> <p>ID NO:</p>

FORM AVSEC 9

APPLICATION FOR VEHICLE PERMIT CARD
Reg. 40 (4)

This form is to be completed by the employer who requires any of his company operational vehicle(s) to have access to restricted area(s) at the aerodrome. The form shall be signed by the head of the organisation or a person authorised by him. Name of such authorised person is to be notified to the Manager, Aerodrome.

First application/Renewal (Circle the appropriate)

(Please write in CAPITAL LETTER)

1. DETAILS OF COMPANY

- a. Full Name of company
- b. Full address of company
- c. Physical address of company

2. PARTICULARS OF VEHICLE(S)

Registration Number	Make and Model	Chassis No.	Engine No.	Body Type	Colour

- 3. Name and address of insurance company (vehicle insurance).....
- 4. Restricted area requested:.....
- 5. Reason:.....
- 6. Period: how long is the vehicle permit card required?.....
- 7. Sign.....Omang/National ID No.
- (Full name)

Manager/Director/Designated person (circle whichever is applicable)

Company official stamp here

** Designated person must furnish letter of designation (only once, not with every application)

<p>Official Use Only</p> <p>Approved/Not approved</p> <p>Comments</p> <p>Manager Aerodrome/AVSEC:.....(Signature) Date.....</p> <p>Processed by(name and signature of AVSEC Officer)</p> <p>Signature.....Date.....</p> <p>Vehicle permit card Number:.....</p>
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C.454

FORM AVSEC 10
VEHICLE PERMIT CARD
Reg. 40 (5)

<p>AIRPORT NAME</p> <p>AIRPORT ZONE</p>
<p>VEHICLE PERMIT</p>
<p>ORGANISATION:.....</p> <p>MAKE OF VEHICLE:</p> <p>MODEL OF VEHICLE:</p> <p>VEHICLE REGISTRATION:.....</p> <p>EXPIRY DATE:</p> <p>ID NO:.....</p>

FORM AVSEC 11

APPLICATION FOR RESTRICTED AREA VISITOR'S PERMIT
Reg. 48 (1)

This form MUST be completed by the authorised official of organisations on behalf of the person(s) who are required to visit the aerodrome. It shall be signed by the head or authorised person of such an organisation. The form should be submitted to the Aerodrome Manager/Civil Aviation Authority Botswana at least 48 hours during the week prior to the proposed visit.

Name of Organisation:.....

Postal Address:.....

Telephone number:..... Fax number:

Email address:

Name of person(s) visiting:

Omang or passport number:

Organisation/place(s) to be visited:

.....

.....

Reason for visit:.....

.....

Contact person of host organisation (Name and Telephone No.)

.....

Date (s) of visit:..... Time of visit:

Date:.....

Signature of the Employer or
Employer's authorised signatory

Name:.....

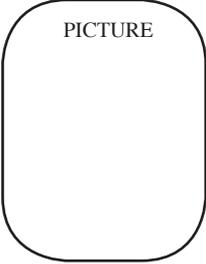
Note: This form MUST be submitted to the Aerodrome Manager at least 48 hours in advance during weekdays to allow processing time

Official Use Only	
Approved/Not approved	Escort required/not required
Comments	
Manager Aerodrome/AVSEC:.....(Signature) Date.....	
Processed by.....(name and signature of AVSEC Officer)	
Signature.....	Date
Permit Number.....	

C.456

FORM AVSEC 12

RESTRICTED AREA VISITOR'S PERMIT
Reg. 48 (3)

<p>AIRPORT NAME</p> <p>AIRPORT ZONE</p> <p style="text-align: center;">PICTURE</p> 
VISITOR'S PERMIT
<p>SURNAME:</p> <p>FIRST NAME:</p> <p>ORGANISATION:</p> <p>SIGNATURE OF HOLDER:</p> <p>EXPIRY DATE:</p> <p>ID NO:</p>

FORM AVSEC 13

APPLICATION FOR AERODROME SECURITY WORK PERMIT
Reg. 49 (1)

Before any work can be carried out in the aerodrome premises, whether in the airside or land side, the company must apply and obtain the Aerodrome Security Work Permit. The application will be completed and signed by the authorised official of the company.

1. Full Name of company/organisation.....

Residential Address.....

Postal Address

Telephone No.

2. Names of staff and their ID/Passport Numbers:

Name	ID/Passport No.
------	-----------------

3. Area where work will be done.....

4. Description of Work

.....
.....
.....
.....

5. Date and time when work is to start

6. Date and time of completion of work

7. Client (if contracted work)

8. Contact details of client

9. List of equipment (vehicles) to be used if any

.....
.....

10. Any additional information

.....
.....

Name..... DATE.....

Signature Telephone No.

Official Use Only

Approved/Not approved

Comments

Manager Aerodrome:.....(Signature) Date.....

Processed by.....(name and signature of AVSEC Officer)

Signature..... Date.....

Permit Number.....

FORM AVSEC 14

AERODROME SECURITY WORK PERMIT
Reg. 49 (3)

Permit number:

1.....(COMPANY NAME) has been given permission to carry out work in the following areas(s)

.....
.....
.....

2. The permit is valid from the.....to the.....

Time:.....till.....

3. Issued by:
(NAME) (SIGNATURE)

Airport Manager.....

Date:.....

Official Stamp

PLEASE NOTE:

The permit is to be carried by the work crew while working in the aerodrome, and should be produced on request by the Airport Security, Police or Airport Management Officials.

This permit is not a restricted area visitor's permit. You are to make a separate security arrangements if you are to work in the aerodrome restricted area(s). A copy of the permit is to be attached to the request for restricted area visitor's permit.

FORM AVSEC 15

MODEL AERODROME OPERATOR SECURITY PROGRAMME

Reg. 80 (1)

Note: This is guidance material only. The Aerodrome Operator Security Programme is developed in conjunction with and subordinate to the National Civil Aviation Security Programme of each aerodrome, as required of everyone involved in the Programme. Throughout this appendix, the term “Security Manual” refers to the International Civil Aviation Organization Security Manual for Safeguarding Civil Aviation Against Acts of Unlawful Interference.

1. PROGRAMME OBJECTIVE

- 1.1 This Aerodrome Operator Security Programme plan is designed to meet the requirements of the International Civil Aviation Organization Annex 17.
- 1.2 The objective of the Aerodrome Operator Security Programme is to ensure that aviation security measures and responsibilities are clearly defined and understood by those who need to implement them. It should clarify and detail all measures that are required to be implemented at the aerodrome to meet the requirements of the National Civil Aviation Security Programme.
- 1.3 An Aerodrome Operator Security Programme shall be produced and developed for each aerodrome within Botswana involved with international civil aviation and all domestic aerodromes. It should be prepared by the Principal Aviation Security Officer in consultation with all aerodrome users, and endorsed, signed and dated by the responsible officer.
- 1.4 The Programme should be drafted in accordance with the layout detailed in this Appendix and submitted to the relevant appropriate authority for security for approval. It shall be reviewed and updated regularly and at least once every 12 months.
- 1.5 Proposed amendments and variations to the Programme, other than minor changes, or changes resulting from a change of national policy should be submitted to the relevant appropriate authority for aviation security for approval before incorporation.
- 1.6 The Programme should have a security classification in accordance with National Civil Aviation Security Programme guidelines and its contents and be handled as a restricted document.

2. SOURCES OF REGULATIONS

- 2.1 National legislation. Detail national legislation (laws, decrees, etc.) which provide authority to the Programme.
- 2.2 National Civil Aviation Security Programme. Refer to the appropriate articles of National Civil Aviation Security Programme, on which the Aerodrome Operator Security Programme is based, and the relevant provisions for the development of measures and procedures.
- 2.3 Other Regulations or Legislation. Detail any other form of regulations or legislation (e.g. provincial, municipal) which provide legal support for the Aerodrome Operator Security Programme. Reference to appropriate parts of national criminal law should be made as required.

3. DUTIES AND RESPONSIBILITIES

3.1 Aerodrome Management

Describe the role and specific tasks of aerodrome management staff involved in the implementation of the aerodrome safety plan.

3.2 Aerodrome Security Section

State the role and responsibilities of the aerodrome security officer, the organisation of the aerodrome security unit, any particular requirements for security officers and the performance of their duties.

3.3 Policing Authority

State the tasks of the various policing authority agencies (national, local, aerodrome, etc.) The responsibilities of each one should be clearly described in order to avoid misunderstanding of each authority's specific role and responsibilities concerning aviation security.

3.4 Government Agencies

State the role of the other Government agencies (Customs, Immigration, Police, BDF, etc.) involved in supporting the Programme.

3.5 Air carriers

Describe the role of the air carriers (both national and foreign), operating at the aerodrome and any security function or task assigned to them in support of the programme. A list of persons in charge and their alternates for every air carrier, with all pertinent contact details (i.e. mobile/cell phone, work and home phone numbers, email address, home address, etc.) should be included in an appendix.

3.6 Aerodrome Tenants

Describe the responsibility of tenants requiring their co-operation and assistance and how they can contribute to aviation security.

3.7 Local Authorities

State what tasks which will be required from any local authorities to assist in the implementation of the Aerodrome Operator Security Programme.

3.8 Other Authorities

Any other authority involved in this Programme (postal, communication, fire fighting, health, etc.) should be mentioned. Describe their role and what assistance may be required to be provided.

3.10 General Aviation

Describe how the Aerodrome Operator Security Programme will affect general aviation operations at the aerodrome.

4. AERODROME SECURITY COMMITTEE

4.1 Terms of Reference

State the relevant national programme requirements to establish an Aerodrome Security Committee. Its terms of reference must be described clearly. Describe that the tasks of the Aerodrome Security Committee should mainly be the implementation of the requirements of the National Civil Aviation Security Programme through the establishment of procedures and measures for the effective safeguarding of the aerodrome against acts of unlawful interference. The Aerodrome Security Committee should meet, in its totality or partly as a smaller operational group regularly, preferably with a specified period indicated. The minutes for each meeting should be kept and after approval by the members, be circulated to the authorities concerned.

4.2 Membership

List the membership of the Aerodrome Security Committee, which must include all agencies engaged in the operation of the aerodrome which contribute to the establishment and implementation of security measures with the participation of its members and co-opted members (see Part I, Chapter 3 of the Security Manual.) A full list of names, titles and any other useful details of all members of the Aerodrome Security Committee should be included. The Aerodrome Manager will normally act as

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chair of the Committee, with the Aerodrome Security Officer providing specialist aviation security advice as appropriate.

5. **COMMUNICATIONS**

5.1 This section should describe how the appropriate committee for aerodrome security and the civil aviation security policy and regulatory section communicate the requirements of the National Civil Aviation Security Programme (NCASP) to Botswana aviation industry.

5.2 Reference should also be made to consultation procedures and the distribution of any reports resulting from security inspections, audits, surveys, tests and investigations carried out by the civil aviation security policy and regulatory section. Instructions and guidance on the correct classification and handling procedures for sensitive information contained in such reports should also be described.

5.3 Policy on communications with other States, ICAO and the Press and media regarding aviation security should also be detailed.

6. **DESCRIPTION OF AERODROME**

6.1 **General**

This should include the name, location with respect to closest town, and official address of the aerodrome, its nature, name of aerodrome proprietor, telephone number and identification code.

6.2 **Landside, Airside and Security Restricted Areas**

The various airside and landside areas and sectors of the aerodrome should be defined followed by a brief description. The airside of the aerodrome should be clearly marked and all restricted areas indicated together with all control of access points. An accurate and to scale location map and aerodrome plan will probably be the best method of achieving this and should be attached as an appendix.

6.3 **Hours of Operation**

Detail the aerodrome operating hours, the hours of operation of the air traffic control services, any on site communications facilities. Details, if control of access into restricted areas and internal security of such areas is conducted on a 24 hour basis. Procedures for security outside the normal hours of operation should also be included.

6.4 **Aerodrome Operations and Organisations**

List and detail a brief description of activities carried out by all aerodrome management section and other entities which operate within or from the aerodrome. For example:

6.5 **Aerodrome Operating Services**

Includes administration, maintenance, communication, fire fighting or any other operational service.

6.6 **Air Traffic Services**

Include tower, terminal, area control centre and flight services.

6.87 **Air carriers and Private Aircraft Owners**

List all air carriers using the aerodrome and destinations served. Detail the average daily passenger movement and air cargo volume aggregated for all air carriers during high and low seasons.

6.8 **General Aviation**

List all general aviation companies operating to and from the aerodrome. Detail volume of general aviation traffic and include any security controls imposed to certain locations, responsibility over general aviation facilities and access to the commercial ramp and apron areas.

6.10 **Private Organisations and Businesses**

Detail all the aerodrome tenants, shops, cargo handling firms, catering firms, tourist offices, private security firms, or any other private firm operating at the aerodrome with particulars of managers and telephone numbers. Their location on the aerodrome and terminal premises should be indicated on maps which should be attached as an appendix.

6.11 **Military or Paramilitary Organisations**

Mention contact points for any military or paramilitary unit operating at the aerodrome. Details of memoranda of understanding should be included.

7. **SECURITY MEASURES AT AERODROME**

7.1 This section should detail the security measures, procedures and controls applied at the aerodrome in support of the National Civil Aviation Security Programme. The following headings and example content should be adapted to reflect actual local conditions.

7.2 **Aerodrome Security**

7.2.1 **Access Control Measures**

Describe the control of access methods applied to airside and restricted security areas, including details of the pass or permit system as it pertains to persons, and vehicles and the screening and searching procedures carried out. Describe the scope of background checks conducted on applicants for all types of passes issued. Describe what patrols are conducted of the landside, airside and restricted security areas including off aerodrome patrols of possible standoff attack and possible launch sites. Drains are possible illegal points of unauthorised entry, which should be fully protected against unauthorised access.

7.2.2 **Physical Security Measures**

Describe the physical security measures in relation to fencing, lighting, intruder detection systems, closed circuit television, etc. applied to the security of all airside and restricted areas, parked aircraft and aprons, public terminal areas and observation decks and car parks, in-flight catering facilities, air cargo areas, aircraft maintenance areas and essential aerodrome facilities.

7.2.3 **Air Traffic Services Facilities, Communication and Navigation Aids**

Describe the physical security measures used for the protection of air traffic services facilities, communication and navigation aids, together with an assessment of vulnerability to interference, with reference to relative importance of individual facilities to the safety of air navigation.

7.2.4 **General Aviation**

Describe the security measures for general aviation and any special procedure applied to general aviation crew or passengers, operating to and from the aerodrome. Give details about average number of daily movements with seasonal variations and number of permanently stationed aircraft at the aerodrome.

7.3 **Passenger and Cabin Baggage Security**

7.3.1 **Authority**

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Describe the source giving legal authority for security measures and any local laws. Detail procedures to be followed if person refuses to be subjected to security measures or is denied boarding for any reason. List any persons such as diplomats or heads of state exempt from screening or search in an appendix.

7.3.2 Check-in

Describe check-in process and location and any special measures or facilities for groups or high risk passengers. Describe procedures for the protection of tickets, boarding passes, baggage tags and other documents. State clearly the authority and responsibility of handling agents in accordance with the provisions of the National Civil Aviation Security Programme.

7.3.3 Travel Documents

Describe where, when and how passenger identification and travel documents are checked including originating, transfer and transit passengers. Only National Passports should be accepted for international travel for all travellers, while Botswana National Identity or Botswana Passport are acceptable for local travel. All foreigners must produce their National Passports as form of identification for local travel. Some passengers may be travelling on Temporary Travel Documents issued by their country of origin. These documents must be thoroughly checked for authenticity by Immigration officials. Immigration officials must ensure that airline personnel are able to do similar checks.

7.3.4 Screening Procedures

Describe screening procedures and measures including minimum hand-search ratios if applicable, identification of prohibited items and dangerous goods, special measures for electronic and electrical items, standards to be achieved, the procedures for persons with special needs, private screening arrangements and action to take on discovering weapons or explosive devices.

7.3.5 Equipment

List the equipment available at each search point and the required routine testing and maintenance procedures required to ensure it is serviceable and meets the required standards before use. Detail procedures to be followed when equipment fails or is unserviceable for any reason.

7.3.6 Security Staff

Describe the staffing levels, positions and rotation of duties at each screening point. The training required (initial, 'on the job' and refresher) and what records of such training are to be maintained.

7.3.7 Segregation and Control

State if segregation of screened and non-screened persons is achieved in the terminal after the screening point. If segregation is not achieved describe what compensatory procedures such as secondary screening at the gate area is carried out. Describe what procedures are carried out to ensure the control of screened passengers when walking across apron areas or being transported by vehicle to aircraft.

7.3.8 Staff and Flight Crew Procedures

State if the security measures will apply to all aerodrome staff, flight crew, police and other government agencies operating at the aerodrome. Clarify the procedures to be adopted and state clearly any particular measures to avoid misunderstanding and assure consistent implementation of security measures.

7.3.9 Diplomatic Pouches and Government Couriers

State the procedures to be applied to diplomatic pouches and Government couriers. Clarify whether the diplomatic bags may be screened and if so, state the procedure. State the procedures for diplomatic mail in official pouches and embassy correspondence not in diplomatic bags.

7.3.10 VIP Facilities

Describe the location of any VIP facilities and the procedures for processing of VIPs. State clearly the existence of any prior arrangements for the handling of VIP passengers privately or semi-privately, and measures to limit exceptions from normal passenger screening channels to a strict minimum.

7.3.11 **Special Category Passengers**

Describe the procedures to be followed for passengers with diplomatic status and potentially disruptive passengers for example persons in custody, dangerous prisoners, deportees, persons suffering from mental illness. State clearly the various tasks of the agencies involved. Make specific reference to the notification of the air carrier and the relevant pilot-in-command.

7.3.12 **General Aviation**

Mention any specific measures for security controls relating to aircraft passengers and crew of general aviation in particular during high threat situations.

7.4 **Hold Baggage Security**

7.4.1 **Authority**

Describe the source giving legal authority for security measures and detail procedures to be followed if person refuses to allow hold baggage to be subjected to security measures. List any persons such as diplomats or heads of state whose hold baggage is exempt from screening or search in an appendix.

7.4.2 **Check-in**

Describe check-in process regarding hold baggage and the location and any special arrangements, measures or facilities for group travel or high risk passengers which will differ from normal procedures. Detail if any passenger questioning is carried out. State clearly the authority and responsibility of handling agents in accordance with the provisions of the National Civil Aviation Security Programme.

7.4.3 **Off-Aerodrome Check-in**

If off-aerodrome or curb check-in is authorised, describe the measures for protection of hold baggage against acts of unlawful interference until its loading onto the aircraft.

7.4.4 **Screening Procedures**

Describe screening procedures and measures including minimum hand-search ratios if applicable, identification of prohibited items and dangerous goods, special measures for electronic and electrical items, standards to be achieved, and action to take on discovering weapons or explosive devices.

7.4.5 **Equipment**

List the equipment available at each search point and the required routine testing and maintenance procedures required to ensure it is serviceable and meets the required standards before use. Detail procedures to be followed when equipment fails or is unserviceable for any reason.

7.4.6 **Security Staff**

Describe the staffing levels, positions and rotation of duties at each screening point. The training required (initial, 'on the job' and refresher) and what records of such training are to be maintained.

7.4.7 **Passenger and Hold Baggage Reconciliation**

Describe the procedures to ensure that only hold baggage that is loaded belongs to passengers of the relevant flight, who have actually boarded the aircraft, and that the hold baggage has been subjected to the necessary security controls and is authorized for loading on that flight. Specific reference to

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the various categories of passengers (originating, online and inter-line transfer, disembarking transit passengers) should be made. The use of automation should be mentioned describing the principle of the system and what is accomplished.

7.4.8 Staff and Flight Crew Procedures

State if the security measures will apply to all flight crew. Clarify the procedures to be adopted and state clearly any particular measures to avoid misunderstanding and ensure consistent implementation of security measures.

7.4.9 Unaccompanied Baggage

Describe the procedures for baggage that is separated from its owner through a breakdown of the baggage handling system with reference to the additional security controls the baggage is subjected to before being loaded onto an aircraft.

7.4.10 Baggage Reclaim Areas

Describe what measures are applied to hold baggage not reclaimed by a passenger include details of screening or searching and secure storage. Describe also measures to prevent passengers retrieving prohibited items concealed in hold baggage at the baggage reclaim area which could be subsequently used to commit an act of unlawful interference in the arrival aerodrome terminal.

7.5 Air Cargo Security

7.5.1 The term 'air cargo' in the context of aviation security includes, normal freight, consolidations, transshipments, unaccompanied courier items, postal mail, diplomatic mail, company stores, and unaccompanied baggage shipped as freight on a passenger carrying aircraft.

7.5.2 Authority

Describe the source giving legal authority for security measures and which agency is responsible for compliance.

7.5.3 Security Procedures

Describe the procedures followed with reference to regulated agents, known consignors, known and unknown cargo, transshipment cargo, the role of the air carrier, random checks, documentary records, access control, secure storage and transportation.

7.5.4 Equipment

List the equipment available to carry out screening of air cargo and the required routine testing and maintenance procedures required to ensure that it is serviceable, and meets the required standards, before use. Detail procedures to be followed when equipment fails or is unserviceable for any reason.

7.6 Security of Aircraft Catering Supplies and Stores

7.6.1 Authority

Describe the source giving legal authority for security measures and which agency is responsible for compliance.

7.6.2 Security Procedures

Describe the procedures followed and responsibilities with reference to known and unknown catering supplies and stores, physical security measures, access control measures, customs bonded warehouses, tamper evident sealing of goods, searching and sealing of vehicles, catering carts and

containers, multiple loads, airside catering operations, receipt and validation of consignments into restricted areas, air carrier security measures.

7.7 Control of Firearms and Weapons

7.7.1 Legislation and Regulations

Describe the national legislation and regulations related to carriage of weapons and firearms on board an aircraft departing or arriving at the aerodrome or carriage by persons in the area of jurisdiction of the aerodrome. The relevant provisions of the appropriate laws or decrees could be attached as an appendix.

7.7.2 Transporting Firearms

Describe the procedure for handling and transportation of firearms in compliance with the provisions of the National Civil Aviation Security Programme, in hold baggage or as cargo. Describe the role of the operator and crew. Mention any special arrangements to be made at check-in or baggage reclaim areas.

7.7.3 Carriage of Firearms

Describe the national policy on authorised carriage of firearms in both national and foreign aircraft and the measures for the implementation of that policy. Explain the tasks of the agencies involved and those of the air carriers. State clearly the authority for the carriage of weapons granted to flight security personnel, escorts of prisoners, deportees or escorts of VIPs. Describe the relevant procedure including notification of air carrier and the pilot-in-command.

7.8 Security of Aircraft

7.8.1 Basic responsibility for the security of aircraft rests with the air carrier, whose plans should take into account the aerodrome safety plan so that security measures can be co-ordinated.

7.8.2 Control of Access to Aircraft

Describe the measures for protection of aircraft on the ground with reference to the duty of aircraft crew and maintenance personnel servicing aircraft to identify any person approaching or boarding the aircraft, and that aircraft not in service or undergoing maintenance should have all access points secured and access stairs or passenger loading bridges removed.

7.8.3 Security Patrols

Describe what security patrols operate within the airside area, detail what communications are provided with security control and local air traffic control and security equipment carried.

7.8.4 Pre-Flight Precautions

Describe pre-flight precautions conducted on a regular basis, during high threat situations or upon request. State clearly the agencies involved and their respective tasks.

7.8.5 Threat Notification

Describe procedures to respond to information which indicates that specific aircraft may be subject to an act of unlawful interference and who is responsible for implementing the additional security measures considered necessary to counter the threat. Define responsibilities for informing the appropriate authority for security if not the initiating agency of such threat notifications.

7.8.6 Flights under Increased Threat

Describe the procedures to be implemented for specific flights under increased threat, including isolated parking areas, individual guarding of aircraft, escorting of taxing aircraft, and inspection of approach and take-off flight paths. Include a plan of parking places.

7.8.7 Aircraft Search

Describe procedures for the inspection and searching of aircraft during both routine operations and times when an aircraft may be under high threat. Define which agencies will be responsible to conduct a search, the necessity for checklists to avoid duplication of effort, good lighting and well trained personnel with support of aircraft crew or aircraft engineering support personnel. State actions to be taken on discovery of suspect explosive devices and responsibilities for decisions to move or evacuate the aircraft and continuance of aerodrome operations.

7.9 Security Equipment and Specifications

7.9.1 Operation and Maintenance

Describe the allocation of responsibilities and agencies having responsibility for the procurement, installation, operation and maintenance of security equipment. List all security equipment at the aerodrome used in the support of civil aviation security including number, location, maintenance and calibration, responsibilities. Include X-ray equipment, explosives detection equipment, hand held and walk through metal detectors, simulation chambers, explosive detection dogs and explosive disposal equipment. Provide a plan as an appendix showing the distribution of equipment at the aerodrome.

8. RESPONSE TO ACTS OF UNLAWFUL INTERFERENCE

Aerodrome Contingency Plan

The aerodrome contingency plan should work in conjunction with the Aerodrome Operator Security Programme. Guidelines on the structure and the content of the plan should be obtained from the Aerodrome Manager. The plan should include information regarding responsibilities for command, control and communications procedures, and hostage negotiation procedures, designated aircraft parking locations, incident site access and control, communications equipment, guidelines on dealing with the press, media and public. A copy of the aerodrome contingency plan should be attached as an appendix to the aerodrome safety plan programme.

9. AVIATION SECURITY TRAINING

Describe the aviation security training programmes given to security staff at the aerodrome and all other persons who have roles to play in aviation security, including management, aerodrome, air carriers and cargo 'regulated agents' security personnel, police, military, Customs and Immigration personnel, aircraft crew members and other aerodrome personnel. Also describe any other training including contingency plan exercises and exercises involving a reaction to an act of unlawful interference designed to test readiness.

10. APPENDICES

- a) Organisational diagrams referring to the organisational structure of the aerodrome administration and security management.
- b) Scale map of the aerodrome and peripheral area.
- c) Detailed scale map showing landside, airside and restricted areas and access control points.
- d) Detailed map of the terminal incorporating security equipment locations(s).
- e) Air carriers contact information.
- f) Private organisations and businesses operating at the aerodrome.
- g) List of persons exempted from screening or search measures.

- h) National legislation and regulations related to carriage of weapons and firearms.
- i) Aerodrome Contingency plan.
- j) Demarcation of landside/airside boundaries.

FORM AVSEC 16	
CERTIFICATE OF APPROVAL OF AERODROME OPERATOR SECURITY PROGRAMME <i>Reg. 80 (3)</i>	
1. Certificate Number:	
2. Expiry date:	
3. Description of aerodrome operator:	
4. Name of aerodrome operator:	
5. Physical address of aerodrome operator:	6. Postal address:
7. Conditions and restrictions:	
I, hereby certify that the holder of this certificate has been duly approved in accordance with Regulations 80, 84 and 86 of the Civil Aviation Security (General) Regulations. Name: Designation: Date:	

Chief Executive Officer/On behalf of Chief Executive Officer

FORM AVSEC 17

MODEL AIRCRAFT OPERATOR SECURITY PROGRAMME
Reg. 81 (1)

1. PLAN OBJECTIVE

- 1.1 To protect the operation of the air carrier by safeguarding its:
- a. Customers;
 - b. Staff;
 - c. Equipment; and
 - d. Facilities.

2. SOURCES OF REGULATIONS

- 2.1 **National legislation.** Detail national legislation (laws, decrees, etc.) which provide authority to the Programme.
- 2.2 **National Civil Aviation Security Programme.** Refer to the appropriate articles of National Civil Aviation Security Programme, on which the Aircraft Operator Security Programme is based, and the relevant provisions for the development of measures and procedures.
- 2.3 **Other Regulations or Legislation.** Detail any other form of regulations or legislation (e.g. provincial, municipal) which provide legal support for the Aircraft Operator Security Programme. Reference to appropriate parts of national criminal law should be made as required.

3. SECURITY ORGANISATION AND OTHER AUTHORITIES

3.1 Aircraft Security Policy and Organisations

- a. description of the air carrier's aviation security functions;
- b. measures related to the securing of premises, facilities and aircraft (off-aerodrome); and
- c. security policy of the aircraft operator.

3.2 Designated person responsible for safety/security at each aerodrome, where applicable

Each aircraft operator must ensure that a person assumes responsibility for safety/security at each destination operated to by the aircraft operator.

3.3 International Obligations and Organizations

- a. structure and role of the ICAO.
- b. purpose of the various Conventions and ICAO Annex 17.

3.4 National Obligations and Organizations

- a. indicate the relevant appropriate authority for the state of registration.
- b. indicate the relevant National Aviation Security involvement, i.e. committees, etc.

4. SECURITY AND COMMUNICATION

Aircraft Operator Security Policy shall create procedures for receipt and dissemination and accountability for –

- a. security information circulars;
- b. reports and surveys;
- c. communication with appropriate authorities; and
- d. media relations.

5. DESCRIPTION OF AIRCRAFT OPERATOR'S ACTIVITIES

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

6. SECURITY MEASURES

6.1 Security of Passengers, Crew and Cabin Baggage

The aircraft operator shall ensure that the following measures are adopted, relating to the security of passengers, crew and cabin baggage –

- a. ensuring that all passengers, crew and cabin baggage are processed through the designated security screening areas;
- b. direction and control of passenger movement, to prevent the mixture of unscreened and screened passengers;
- c. prevention of wrongful/unauthorised boarding of aircraft;
- d. ensuring that no cabin baggage, belonging to passengers or crew, is left onboard the aircraft.

6.2 Security of Checked Baggage

The aircraft operator shall ensure that all checked baggage is subjected to the necessary security controls, which must include, but is not limited to:

- a. Responsibility;
- b. security X-ray screening of checked baggage (where applicable);
- c. security and handling procedures for unaccompanied checked baggage;
- d. implementation of secure handling and holding facilities of checked baggage;
- e. implementation of procedures regarding the questioning of passengers and the integrity of baggage (where applicable);
- f. acceptance procedures for originating baggage;
- g. aircraft operators shall ensure that checked baggage is accepted only from ticketed passengers and only by a responsible agent or authorized representative of the operator;
- h. procedures for transportation and securing of transfer baggage;
- i. securing and procedures for off-aerodrome checked in baggage;
- j. establishing procedures for the handling of suspect bags;
- k. secure handling and forwarding procedures for expedited baggage.

6.3 Measures related to Passenger and Baggage Reconciliation

The aircraft operator shall ensure that a passenger's checked baggage is not transported onboard an aircraft, unless the passenger is on board the aircraft. The aircraft operator shall establish and implement –

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- a. systems to ensure that passengers and their baggage travel on the same flight/aircraft;
- b. procedures to ensure that in the event of passengers disembarking at a station earlier than their final destination, their checked baggage is removed from the aircraft;
- c. procedures to locate and remove baggage of passengers who fail to board, or who disembark after boarding;
- d. procedures to locate and remove the baggage of a passenger who is denied boarding for security reasons;
- e. procedures to identify unaccompanied baggage; and
- f. procedures to reconcile transfer passengers and their baggage.

6.4 Control of Disruptive/Unruly Passengers

The aircraft operator shall establish procedures to deal with disruptive/unruly passengers. These procedures should include procedures on the ground and in-flight and should address the following:

- a. identification and denied boarding and/or off-loading procedures, of potential disruptive passengers on the ground;
- b. handling of disruptive passengers in-flight; and
- c. reporting/corrective action procedures.

6.5 Control of Deportees, Inadmissible Passengers and Person in Custody, persons with contagious or epidemic disease

The aircraft operator shall establish and implement security measures and procedures to ensure safe handling on-board their aircraft, passengers who are obligated to travel because they have been the subject of judicial or administrative proceedings, or are suffering from contagious disease.

6.6 Carriage of VIP Passengers

The aircraft operator shall ensure that all VIP passengers are processed through the designated security channels. Only Heads of State and delegates as determined by the State may be exempted from normal security controls.

6.7 Control of Harmful Articles and Firearms

No harmful articles or firearms may be accepted for transportation in the passenger cabin of an aircraft. Where the aircraft type does not allow other storage facilities, the aircraft operator shall ensure that a safe, lockable location of the aircraft is used, and passengers in flight cannot reach such items. The aircraft operator shall include in their programmes and implement the appropriate controls to prevent harmful articles from being carried on board aircraft.

6.8 Security of Aircraft

Aircraft operators shall be responsible for the security of their aircraft. The aircraft operator must establish procedures dealing with the following –

- a. pre-flight security checks of aircraft by a designated authority or crew operating the aircraft;
- b. the difference between a search and check;
- c. ensuring the search and pre-flight check sheets are available onboard the aircraft;
- d. arrangements for aircraft not in service and left unattended, i.e. aircraft ladders, steps, air bridge, etc. removed;

- e. additional measures may include the deployment of security personnel to guard such aircraft; and
- f. post-flight checks to ensure all items, not forming part of the aircraft, are removed.

6.9 Security measures related to Catering Supplies and Stores and Cleaning Supplies

The aircraft operator shall include in their programmes, the implementation of security measures and controls to prevent the introduction of weapons and other harmful articles into catering supplies and stores intended for carriage on flights. The following standards apply –

- a. physical security of premises;
- b. access Control to premises;
- c. access Control to company stores;
- d. access Control to prepared items;
- e. security of vehicles and transportation of supplies. (If based outside sterile area);
- f. pre-flight verification procedures of crew members; and
- g. permit and access control of cleaning company employees.

6.10 Security of Cargo, Courier Material and Unaccompanied Baggage

The aircraft operator shall ensure that measures are implemented to prevent the introduction of harmful articles to civil aviation, by means of cargo, courier material, mail or unaccompanied baggage. Measures shall include –

- a. application;
- b. responsibility;
- c. handling procedures for the acceptance and transportation of cargo;
- d. regulated agent – criteria for validation;
- e. known shipper – criteria for validation;
- f. known customer – criteria for validation;
- g. procedures for the carriage of diplomatic mail;
- h. details of screening equipment and screening standards;
- i. X-ray screening and handling procedures for unknown cargo, i.e. courier material, mail, unaccompanied baggage and express parcels; and
- j. description of measures to secure screened/sterile cargo.

6.11 Training

The aircraft operator shall develop adequate security training programmes for –

- a. air crew;
- b. security staff who carry out screening, searching and checking duties; and

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c. cargo and passenger services staff.

The training shall be in accordance with the standards determined by the Authority.

The aircraft operator's chief security officer must monitor and update security training.

7. RESPONSE TO ACTS OF UNLAWFUL INTERFERENCE

7.1 Contingency Planning

The aircraft operator is required to establish a comprehensive contingency and security emergency plan. This plan shall include the following –

- a. description of plans to deal with aircraft hijack;
- b. description of plans to deal with bomb threats;
- c. procedure for handling a suspect device found on board an aircraft on the ground and in-flight;
- d. evacuation and search of aircraft on the ground;
- e. enhanced security measures for an increase in the level of the threat;
- f. handling procedure of high-risk flights;
- g. industrial disputes affecting aviation security; and
- h. reporting channel and list of designated persons to be contacted in a security emergency.

7.2 Incident Reporting Procedure

The aircraft operator shall report any incident of unlawful interference directly to the Authority. Aircrew and aircraft operator staff is encouraged to report security inadequacies which they observe to the designated person responsible for safety/security, for remedial action by the Authority. The aircraft operator shall report such incidents to the Authority, in writing, within 48 hours of occurrence.

7.3 Monitoring of Security Measures

The Aircraft operator shall arrange for the proper and effective implementation of their security responsibilities. This should include details of any security audits, inspections and/or testing programmes and the corrective action that is taken to address inadequacies.

FORM AVSEC 18	
CERTIFICATE OF APPROVAL OF AIRCRAFT OPERATOR SECURITY PROGRAMME <i>Reg. 81 (3)</i>	
1. Certificate Number:	
2. Expiry date:	
3. Description of aircraft operator:	
4. Name of aircraft operator:	
5. Physical address of aircraft operator:	6. Postal address:
7. Conditions and restrictions:	
<p>I, hereby certify that the holder of this certificate has been duly approved in accordance with Regulations 81, 84 and 86 of the Civil Aviation Security (General) Regulations.</p> <p>Name:</p> <p>Designation:</p>	

Date:.....

Chief Executive Officer/On behalf of Chief Executive Officer

FORM AVSEC 19

MODEL REGULATED AGENT SECURITY PROGRAMME
Reg. 82 (1)

1. **International obligation and organization**
 - a. Structure and roles and regional organization; and
 - b. Purpose of the various Conventions, Annex 17 and regulations
2. **National obligation and responsibilities**
 - a. Relevant appropriate authority; and
 - b. National Civil Aviation Security Program
3. **Regulated agent security policy and organization**
 - a. Regulated agent security policy;
 - b. Regulated agent's role and responsibilities with respect to aviation security;
 - c. Information and communication; and
 - d. Description of regulated agent's operation.
4. **Security of aircraft, if applicable**
 - a. Purpose of security measures;
 - b. Searches and checks of aircraft;
 - c. Standards of searches and checks;
 - d. Details of service provider;
 - e. Control of access to aircraft;
 - f. Standards of access to control; and
 - g. Details of service provider.
5. **Security of cargo, express parcels and mail**
 - a. Purpose of measures;
 - b. Description of measures for cargo including –
 - i. procedure for acceptance;
 - ii. regulated agent scheme and criteria;
 - iii. standards of screening and physical examination;

- iv. details of screening equipment;
 - v. details of operator or service provider; and
 - vi. list of exemptions from security screening or physical examination;
- c. Description of measures for unaccompanied baggage and personal effects carried as cargo;
- i. standards of screening and manual searches;
 - ii. location of screening and manual searches; and
 - iii. details of operator or service provider;
- d. Description of measures for courier and express parcels;
- i. description of acceptance procedures;
 - ii. standards of screening and manual searches;
 - iii. description of screening equipment; and
 - iv. details of operator or service provider;
- e. Description of measures for mail;
- i. Procedures for acceptance;
 - ii. Regulated postal authority and/or administration scheme and criteria;
 - iii. Known consignor scheme and criteria;
 - iv. Standards of screening;
 - v. Location of screening;
 - vi. Details of screening equipment; and
 - vii. Details of operator;
- f. Safeguarding cargo, couriers, express parcels and mail;
- g. Procedure for carriage of diplomatic mail; and
- h. Handling of suspect cargo or mail.
6. **Recruitment of staff: Description of procedures for the recruitment of security staff, including background checks.**
7. **Training of staff**
- a. Description of initial training for the following staff;
 - i. aircrew, if applicable;
 - ii. security personnel who carry out screening, searches or checking duties;
 - iii. awareness training for ground handling and other staff; and
 - iv. regulated agent managers and officer; and

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- b. Description of recurrent training for the following;
 - i. aircrew, if applicable;
 - ii. security personnel who carry out screening, searching or checking duties;
 - iii. awareness training for ground-handling and other staff; and
 - iv. regulated agent managers and officers.
- 8. **Contingency planning: Description of plans to deal with the following contingencies;**
 - a. Aircraft high jacking, if applicable;
 - b. Bomb threat;
 - c. Discovery of suspect or restricted articles;
 - d. Equipment failure;
 - e. An increase in the level of threat, requiring enhanced measures; and
 - f. High risk flights.
- 9. **Incident reporting:** Description of regulated agent incident reporting procedures
- 10. **Supervision and performance monitoring:** Description of regulated agent arrangements for monitoring the implementation of security measures and quality control.
- 11. **Local aerodrome and cargo facility procedures**

FORM AVSEC 20	
CERTIFICATE OF APPROVAL OF REGULATED AGENT SECURITY PROGRAMME	
<i>Reg. 82 (3)</i>	
1. Certificate Number:	
2. Expiry date:	
3. Description of regulated agent:	
4. Name of regulated agent:	
5. Physical address of regulated agent:	6. Postal address:
7. Conditions and restrictions:	
<p>I, hereby certify that the holder of this certificate has been duly approved in accordance with Regulations 82, 84 and 86 of the Civil Aviation Security (General) Regulations.</p> <p>Name:</p> <p>Designation:</p>	

Date:.....

Chief Executive Officer/On behalf of Chief Executive Officer

FORM AVSEC 21

CATERING OPERATOR SECURITY PROGRAMME

Reg. 83 (1)

1. This guidance material is developed to assist the catering company to comply with section 55 of the Act and regulation 83 of the Aviation Security (General) Regulations in establishing a security programme that details the measures they should implement. It is also used to help catering operators obtain approval of a Catering Operator Security Programme.
2. A Catering Operator Security Programme shall be classified as restricted. The written programme should be in a short narrative form and should detail how the catering operator will meet each of the requirements specified in the corresponding chapter in the National Civil Aviation Security Programme.
3. The programme should, at a minimum include the following –
 - a. appointment and training of a security officer;
 - b. physical security and control of access to catering premises;
 - c. background checks of staff;
 - d. training of staff;
 - e. receipt and handling of catering supplies and stores;
 - f. preparation and storage of catering supplies and stores;
 - g. documentation;
 - h. transportation and delivery of catering supplies and stores to the aircraft;
 - i. checking and sealing of vehicles;
 - j. airside premises;
 - k. receipt of catering supplies and stores by the aircraft operator; and
 - l. procedures for handling catering supplies and stores that have been tempered with.

FORM AVSEC 22	
CERTIFICATE OF APPROVAL OF CATERING OPERATOR SECURITY PROGRAMME	
<i>Reg. 83 (3)</i>	
1. Certificate Number:	
2. Expiry date:	
3. Description of catering operator:	
4. Name of catering operator:	
5. Physical address of catering operator:	6. Postal address:
7. Conditions and restrictions:	
8. I, hereby certify that the holder of this certificate has been duly approved in accordance with Regulations 83 and 85 of the Civil Aviation Security (General) Regulations.	
Name:	

Designation:

Date:.....

Chief Executive Officer/On behalf of Chief Executive Officer

FORM AVSEC 23	
CERTIFICATE OF APPROVAL OF SECURITY TRAINING PROGRAMME <i>Reg. 86 (1)</i>	
1. Certificate Number:	
2. Expiry date:	
3. Description of operator:	
4. Name of operator:	
5. Physical address of operator:	6. Postal address:
7. Conditions and restrictions:	
8. I, hereby certify that the holder of this certificate has been duly approved in accordance with Regulations 84, 85 and 86 of the Civil Aviation Security (General) Regulations.	
Name:	
Designation:	

Date:.....

Chief Executive Officer/On behalf of Chief Executive Officer

MADE this 12th day of February, 2013.

N. MOLEFHI,
Minister of Transport and Communications.