



**Civil Aviation Rules**

**Part 140, Amendment 4**

**Aviation Security Service Organisations - Certification**

*Civil Aviation Amendment Act 2007*

## Content

Rule objective .....	3
Extent of consultation.....	3
Insertion of Amendments .....	3
Effective date of rule.....	3
Availability of rules.....	4
Part 140 Amendments.....	5
Subpart A — General.....	5
Rule 140.3 .....	5
Rule 140.11(a)(1) .....	5
Rule 140 Appendix A .....	5
“A.25 Security enhanced areas.....	6

### **Rule objective**

The objective of amendment 4 to Part 140 is to implement the consequential amendments to the Civil Aviation Rules in accordance with sections 2(2) and 19(3) of the Civil Aviation Amendment Act 2007, and clause 2 of the Civil Aviation Amendment Act 2007 Commencement Order 2007/404.

The following amendments to other Parts are also made in accordance with sections 2(2) and 19(3) of the Civil Aviation Amendment Act 2007, and clause 2 of the Civil Aviation Amendment Act 2007 Commencement Order 2007/404:

Amendment 37 to Part 1:

Amendment 12 to Part 19:

Amendment 7 to Part 108:

Amendment 7 to Part 139.

### **Extent of consultation**

This rule amendment is consequential to the amendments that have been made to the Civil Aviation Act 1990 as a result of the Civil Aviation Amendment Act 2007.

### **Insertion of Amendments**

The amendments to the rules in this Part are reflected by the insertion of a new definition, new paragraphs and phrases.

### **Effective date of rule**

Amendment 4 to Part 140 comes into force on 18 January 2008.

### **Availability of rules**

Civil Aviation Rules are available from–

CAA web site: <http://www.caa.govt.nz/>

Freephone: 0800 GET RULES (0800 438 785)

A full copy of the Civil Aviation Amendment Act 2007 is available from the New Zealand Parliamentary Counsel Office Public Access to Legislation website at [www.legislation.govt.nz](http://www.legislation.govt.nz)

## **Part 140 Amendments**

### **Subpart A — General**

#### **Rule 140.3**

Insert in its appropriate order:

“**security enhanced area screening point** means an area provided by an aerodrome operator under 139.203(d)(4A) for carrying out screening and searching in relation to a security enhanced area or a point in a security enhanced area where screening and searching is undertaken”:

#### **Rule 140.11(a)(1)**

Add:

“(iv) screening and searching of any person, item, substance, or vehicle that is present in, or about to enter, a security enhanced area as required by the Minister or Director, subject to the requirement that the specific manner or methodology in which screening will be applied must be approved by the Director; and”

#### **Rule 140 Appendix A**

Appendix A.11(a): insert “and, as appropriate, each security enhanced area screening point” after “point”.

Appendix A.11(b): omit “The” and substitute “In relation to each screening point, the”.

Appendix A.11: add:

“(c) In relation to each security enhanced area screening point that has a procedure under paragraph (a), the certificate holder must, if appropriate, include in that procedure any of the items listed in paragraph (b)”.

Appendix A.12(b)(4): insert “or security enhanced area” after “security area”.

Appendix A.12(b)(5): insert “and security enhanced areas” after “security areas”.

Appendix A.12(b)(6): insert “and security enhanced areas” after “security areas”.

Appendix A.12(b)(7): insert “or security enhanced area” after “security area”.

Appendix A.12(b)(8)(iii): insert “and security enhanced area signs” after “signs”.

Appendix A.14(1): insert “or security enhanced areas” after “security areas”.

Appendix A.14(2): insert “or security enhanced area” after “security area”.

Appendix A.16(c): insert “or security enhanced area” after “security area”.

Appendix A.19: insert “or security enhanced areas” after “security areas”.

Appendix A.24: add:

- “(k) The certificate holder must, when vehicle search testing is being carried out, ensure that the examiner—
- (1) conceals the standard test piece in any part of the vehicle; and
  - (2) determines whether the aviation security officer being tested locates the standard test piece.”

Appendix A: add

**“A.25 Security enhanced areas**

*“Security enhanced area screening point and equipment*

- “(a) The certificate holder must ensure—
- “(1) that persons, items, substances, and vehicles entering, or within, a security enhanced area may be screened or searched according to the specific manner or methodology approved by the Director; and
  - “(2) that, when conducting screening or searching with respect to persons entering, or within, a security enhanced area, persons, including items, substances, and vehicles associated with them, are screened and searched as required by the Minister or the Director; and
  - “(3) sufficient personnel and equipment are available to carry out screening and searching in accordance with the specific manner or methodology approved by the Director; and
  - “(4) its aviation security officers are instructed in the use of standard test pieces to ensure that they can competently check the screening equipment; and
  - “(5) any screening apparatus used at a security enhanced area screening point is tested in a manner acceptable to the Director.

*“Screening of persons, items, substances, and vehicles*

- “(b) When undertaking screening, the certificate holder must—

- “(1) at each point where screening and searching is undertaken and prior to their entering the security enhanced area, inform all persons about to undergo screening, by notice posted at each screening point, that—
  - “(i) screening of any person or any item, substance, or vehicle in the person’s possession is only undertaken with the consent of that person; and
  - “(ii) any person refusing to be screened will be denied entry beyond that point; and
- “(2) if undertaking screening within the security enhanced area,—
  - “(i) inform all persons about to undergo screening that screening of the person or any item, substance, or vehicle in the person’s possession is only undertaken with the consent of that person; and
  - “(ii) any person refusing to be screened will be required to leave the security enhanced area; and
- “(3) according to the specific manner or methodology approved by the Director, ensure that a record is made of—
  - “(i) the method of screening;
  - “(ii) the time taken for screening as required by the Minister or the Director;
  - “(iii) the number of people, items, substances, and vehicles screened; and
- “(4) if an unauthorised article is found, ensure that a record is made of—
  - “(i) the names of the officers carrying out the search; and
  - “(ii) any unauthorised articles found; and
  - “(iii) any disposal action taken.
- “(c) While screening is in progress, the certificate holder must—
  - “(1) ensure that its aviation security officers, when screening any person, item, substance, or vehicle, ensure that the person is not carrying or in possession of any unauthorised article; and

- “(2) ensure that its aviation security officers refuse entry to a security enhanced area if a person is found to be in possession of an unauthorised article; and
  - “(3) ensure that its aviation security officers require a person to leave a security enhanced area if that person is found to be in possession of an unauthorised article; and
  - “(4) carry out tests or checks, and record the results of those tests or checks, to confirm—
    - “(i) the thoroughness of any screening, within each 28-day cycle; and
    - “(ii) the proficiency of each aviation security officer carrying out the screenings, within each 150-day cycle, in accordance with the recurrent testing provisions under A.24.
- “(d) *Hand search of items or substances*  
The certificate holder must ensure that, if there is any cause to suspect any item or substance contains an explosive device or a suspected explosive device has been discovered, its aviation security officers comply with the procedure required by A.11(b)(5).
- “(e) The certificate holder must carry out tests or checks, and record the results of those tests or checks, to confirm—
- “(1) the thoroughness of any hand search, within each 28-day cycle; and
  - “(2) the proficiency of each aviation security officer carrying out hand searches, within each 150-day cycle, in accordance with the recurrent testing provisions under A.24.”