

Part 140 Providers of Aviation Security Services

Under sections 134 and 136 of the 2023 Act sections 134 and 136, AvSec is not required to hold a certificate to provide aviation security services but is required to comply with all requirements imposed by these rules on certificate holders, unless the rules provide otherwise (see section 139). Part 140 rules must therefore specify where requirements applying to applicants and certificate holders do not apply to AvSec, or where different requirements apply to AvSec.

There are seven key changes that apply across this rule part. To keep this summary concise, a description of each of these key changes is given, along with relevant examples. These seven changes sit alongside the standard changes outlined in Section 3.1 of the Overview of Rules Realignment for the Civil Aviation Act 2023 document.

The seven key changes are:

1. Reference to “authorised aviation security service provider”
2. Providing differently for AvSec compared to a future certificate holder
3. New Director responsibility for monitoring and evaluating AvSec under the Act
4. Addressing technology advances
5. Change in onus regarding a person’s consent to be searched at a screening point
6. Change regarding uplifted items
7. Other technical and terminology changes

1. Reference to “authorised aviation security service provider”

Where requirements would apply in the same way to AvSec and a Part 140 certificate holder post 5 April 2025 (the date the 2023 Act comes into force), the term “*authorised aviation security service provider*” is used, “*provider*” for short. This change has been made in the following rules:

- 140.3
- 140.51
- 140.53
- 140.55
- 140.57
- 140.59
- 140.101
- 140.103
- Appendix A

140.53 Establishment of operations procedures

- (a) **An authorised aviation security services provider must** Where the applicant for an aviation security service certificate is the Aviation Security Service or the operator of a security designated aerodrome, it shall establish procedures necessary to enable the requirements in Appendix A to be complied with.

- (b) ~~A~~ Where the applicant for an authorised aviation security service provider which certificate is the operator of a security designated navigation installation ~~must~~ ~~it shall~~ establish procedures necessary to enable the requirements in A.12(d) to be complied with.

2. Providing differently for AvSec compared to a future certificate holder

As AvSec will no longer be a certificate holder, rules 140.7 and 140.9 covering certificate application and issue no longer apply.

AvSec will no longer have an “exposition” under the new Part 140; rather, they will be required to have “*equivalent documentation*”. The most significant rule is 140.61 – where “*or equivalent documentation*” is added to the heading and new sub rules (c)(d) and (e) make this explicit:

140.61 Organisation exposition ~~or equivalent documentation~~

...

- (c) AvSec must maintain documentation equivalent to that in paragraphs (a)(5) to (12) above.
- (d) AvSec’s documentation must be acceptable to the Director.
- (e) References elsewhere in this Part to requirements or documents under paragraph (a) refer, in relation to AvSec, to any corresponding requirement or document under paragraph (c).

The matters in AvSec’s “*equivalent documentation*” (which require Director approval before they are changed) are reduced as some are not required under new arrangements. This includes personnel, location and scope of activities. A new rule 140.103(g) has been added to clarify this:

140.103 Changes to the exposition ~~or equivalent documentation~~

~~(g) Paragraphs (b)(1) to (4) above do not apply to AvSec.~~

Rule 140.11 (setting out the functions and duties of certificate holders) is retained as it describes the ability to add “*qualifications*” in the exposition or certificate. The previous 140.11(b) is no longer required as it refers to a now defunct legislative section:

140.11 Functions and duties of certificate holders

~~(a) Each holder of an aviation security service~~ A certificate holder has such of the functions and duties in section 138(1) of the Act as are specified in its certificate and exposition (see section 136(2)), and ~~subject to any qualifications in the exposition or certificate.~~ certificate shall, at each location specified in its exposition, have the following functions and duties—

- ~~(1) where the certificate holder is the operator of a security designated aerodrome, to carry out—~~
 - ~~(i) passenger, crew, and baggage screening of all international aircraft passenger services and of any domestic aircraft passenger service or other service required to be screened by the Minister or the Director; and~~
 - ~~(ii) where necessary, searches of aircraft; and~~
 - ~~(iii) aerodrome security patrols; and~~
 - ~~(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~~
- ~~(2) where the certificate holder is the operator of a security designated navigation installation, to carry out patrols of that designated navigation installation; and~~

~~(3) to review, inquire into, and keep itself informed on security techniques, systems, devices, practices, and procedures related to the protection of civil aviation and persons employed in or using it; and~~

~~(4) for the purpose of better carrying out any of its functions under this Part, to co-operate with the Police, Government departments, airport authorities, operators, and authorities administering the airport security services of other countries, and with any appropriate international organisation.~~

~~(b) Notwithstanding paragraph (a), the Aviation Security Service shall have the functions and duties prescribed in section 80 of the Act.~~

AvSec is not required to have “*senior persons*” (as the term is used in the Civil Aviation Rules), so rule 140.51 is amended:

140.51 Personnel requirements

(a) **An authorised** Each applicant for an aviation security service **provider other than AvSec** certificate **must** shall employ— ...

A further consequence of AvSec not having “*senior persons*”, including a “*chief executive*” who signs the certificate application, is the need to amend rule 140.59 (b)(7). A new rule 140.59(b)(8) broadly describes the AvSec roles related to Internal Quality Assurance rather than referring to positions:

140.59 Internal quality assurance

(7) in the case of a provider other than AvSec, a procedure to ensure that the senior person who has the responsibility for internal quality assurance has direct access to the Chief Executive on matters affecting security; **or**

~~(7)~~**(8) in the case of AvSec**, a procedure equivalent to the requirement in paragraph (7) that demonstrates **that the person or persons with responsibility for internal quality assurance have direct access to personnel who are accountable for meeting the requirements prescribed in this Part.**

AvSec must still have “*suitable personnel*” for the planning, inspection, supervision, and carrying out of aviation security services. A new rule 140.51(b) has been added to make this requirement clear:

(b) AvSec must ensure there are suitable personnel for the planning, inspection, supervision, and carrying out of the aviation security services detailed in its documentation under rule 140.61(c), and retain written evidence of the scope of their responsibilities and authority.

To cover the AvSec situation of persons employed by the CAA, rule 140.51(c)(2) is amended to read employees “*within its workforce*”:

140.51 Personnel requirements

(c) **An authorised aviation security service provider must** The applicant shall—

...

(2) designate those of its employees **within its workforce** who will be aviation security officers; and

3. New Director responsibility for monitoring and evaluating AvSec in the Act

To account for the requirements in section 32(2)(e) of the 2023 Act, rule 140.60 has been added:

140.60 Additional monitoring and evaluation of AvSec

Where required by the Director, AvSec must establish and maintain additional procedures to enable the Director to monitor and evaluate its performance under section 32(2)(e) of the Act.

4. Addressing technology advances

To allow for technology advancements, in Appendix A, where appropriate, the words “*any searching equipment or apparatus*” or similar have been added, so that the requirements can be applied more widely:

A.7 Hand search of carry-on baggage

(b) The **provider** ~~certificate holder shall~~ **must** ensure that where a **person** ~~passenger~~ declines to have any computer, video camera, or **other electronic device** ~~similar item~~ examined by x-ray **or other searching equipment or apparatus**, its aviation security officers do not allow the item or the person who is carrying the item to enter the sterile area until an officer—

Appendix 6(a)(4) has been updated to account for changes to technology and now allows for the introduction of new equipment or apparatus as long as it is “*approved by the Director*”, ensuring that original equipment manufacture requirements are complied with (as opposed to specifying through rules requirements for each type of equipment), and an increase in the viewing time for x-ray images from 10 to 20 minutes. This increase in viewing time is also current practice under an existing exemption held by AvSec:

A.6 **Searching screening by x-ray or other equipment**

(a) **An authorised** ~~The holder of an~~ aviation security service **provider** ~~certificate~~ **must** ~~shall~~ ensure its aviation security officers, when **searching screening** any **thing** ~~article~~ by use of x-ray **or other equipment or apparatus**—

...

(2) do not continuously view the presented image on x-ray monitors for periods exceeding ~~20~~ 10 minutes; **and**

(3) **adhere to any health and safety standards in original equipment manufacturer (OEM) requirements and any procedures or methodology approved by the Director; and**

(4) **use only equipment or apparatus approved by the Director.**

Where the current Part 140 requires information at a screening point to be by “*notice posted*”, the option of “*or by other equivalent means*” is included in recognition of other media options:

A.25 **Security enhanced areas**

Searching Screening of persons, items, substances, and vehicles

(b) When undertaking **searching screening**, the **provider** ~~certificate holder~~ **must**—

(1) at each point where ~~screening and~~ **searching** is undertaken prior to a person entering the security enhanced area, inform the person who is about to **be searched** ~~undergo screening~~, by notice posted at each screening point **or by other equivalent means**; ~~that~~—

Classified documents no longer need to be “*secured in a locked safe or cabinet*”. A requirement that they are handled and stored according to their classification is sufficient:

A.20 **Intelligence and information**

A ~~The holder of an~~ **authorised** aviation security service **provider** ~~certificate~~ **must** ~~shall~~ ensure that classified documentation is—

- (1) **handled and stored** secured in a locked safe or cabinet depending on its classification; and

The reference to “*written examination*” is changed to “*an examination*” to specifically provide for online exams:

A.23 Training

- (a) **A** The holder of an **authorised** aviation security service **provider** certificate must ensure that **its** the certificate holder’s personnel do not perform the duties of an aviation security officer unless those personnel—
 - ...
 - (2) sit an **an** **written** examination at the end of their training; and

5. Change in onus regarding a person’s consent to be searched at a screening point

Section 143 of the 2023 Act sets out the consent requirements for searching. The Act changes the presumption about whether someone has agreed to some searches, which in turn affects the need to state that explicit consent is required. Appendix A.5(a)(1) and A.25(b)(1)(i) have been reworded to confirm the information that must be given to persons at screening points. The change is to state that a person about to undergo searching must be informed “*of the effect of the relevant parts of s143(1)-(4)*”:

A.5 **Searching** Screening of the person

- (a) **An authorised** The holder of an aviation security service **provider** certificate **must** shall inform all persons about to undergo **searching** screening, by notice posted at each screening point **or by other equivalent means**, that—
 - (1) **of the effect of the relevant parts of s143(1)-(4) of the Act**; ~~screening of the person or their baggage is only undertaken with the consent of that person;~~ and

A.25 Security enhanced areas

Searching ~~Screening~~ of persons, items, substances, and vehicles

- (c) When undertaking **searching** screening, the **provider** certificate holder must—
 - (1) at each point where ~~screening and~~ searching is undertaken prior to a person entering the security enhanced area, inform the person who is about to **be searched** ~~undergo screening~~, by notice posted at each screening point **or by other equivalent means**; that—
 - (i) **of the effect of the relevant parts of sections 143(1)-(4) of the Act** ~~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

6. Change regarding uplifted items

The 2023 Act sets out new options for items and substances found in a search that do not need to be seized and can lawfully go on the aircraft (although not in the cabin – e.g. a pen knife). The reworded Appendix A.4 refers directly to section 149(3) of the 2023 Act, which outlines the steps an aviation security officer must take in this situation:

A.4 Screening point security and equipment

An authorised aviation security service provider must ensure—

- (1) **that if an aviation security officer determines that an item or substance seized or detained at a screening point or in a sterile area may be lawfully carried on an aircraft, the procedures in section 149 (3) of the Act are followed** ~~uplifted items suitable for carriage on an aircraft are passed to the air operator concerned for carriage as hold stowed baggage;~~ and

After 5 April 2025, an ASO must, “if practicable”, return the item/substance to the person or the airline.

7. Terminology changes

Some changes to Part 140 reflect changes in terminology and definitions in the 2023 Act. These wording changes have been made throughout Part 140 and include:

- “Screening” becomes “searching” due to a change in Act terminology.
- “passengers or crew member” becomes “persons” when the Act is clear that the requirements applies more broadly, e.g. at screening points, see rule A.5(b)(2)
- “Tier 1” terminology has been added to designated aerodromes (this is new language in the 2023 Act)
- “Security areas” become “airside security areas”
- Definition of “screening point” now includes screening points provided for domestic flight screening by adding in reference to rule 139.203(d)(5)

Other changes for realignment of Part 140

140.15 Renewal of certificate

To improve sentence clarity and readability, rule 140.15(a) has been rewritten:

(a) ~~An application for the renewal of an aviation security service certificate shall be made by the certificate holder on form CAA 24140/01. If the holder of an aviation security service certificate wishes to apply for renewal of their certificate, they must use the approved CAA form.~~

140.103 Changes to the exposition or equivalent documentation

To improve sentence clarity and readability, rule 140.103(b) has been reworded:

(a) Where ~~the provider~~ certificate holder ~~must obtain approval from the Director before changing~~ proposes to make a change to any of the following, prior application to and acceptance by the Director is required:

Appendix A.23 Training

References to the relevant rules in training requirements have been updated to reflect their new location. Instead of referring to the Civil Aviation (Offences) Regulations 2006, the training requirement now refers to regulations made under section 407 of the Act (to future proof the Rules):

A.23 Training

(c) The topics and level of competence that personnel referred to in paragraph (a) are required to be trained and assessed on are as follows:

(3) **Legislation relating to aviation security:**

...

- (iv) **Part 19 and 139** to examine the provisions of rules 19.353, ~~19.355, 19.357, and 19.359,~~ **139.207, and 139.209** to grade 3:

- (v) **Civil Aviation (Offences) Regulations** ~~[to be updated when new Regulations made]~~ **made under section 407(1)(b), (c), (e), (f), and (g) of the Act** to examine the offence provisions and penalties for breaches of rules 19.353, ~~19.355, 19.357 and~~ 19.359, **139.207, and 139.209** to grade 3:

Part 140

Providers of Aviation Security Services

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Subpart A — General

140.1 Applicability

This Part prescribes rules governing the provision of aviation security services at a Tier 1 security designated aerodrome or security designated navigation installation.

140.3 Definitions

In this Part—

Authorised aviation service security provider has the meaning given in section 5 of the Act:

Aviation security officer has the meaning given in section 5 of the Act:

High risk flight means a flight that is assessed to be affected by a higher than normal threat factor by the—

- (1) Director; or
- (2) aircraft operator; or
- (3) State of registration of the aircraft:

In service has the same meaning as in section 2(3) of the Aviation Crimes Act 1972:

Screening point means that area provided by the aerodrome operator under rule 139.203(d)(4) or (5):

Searching means searching carried out under Part 5 of the Act, and ‘search’ and ‘searched’ have similar meanings:

Security enhanced area screening point means an area provided by an aerodrome operator under rule 139.203(d)(4A) for carrying out searching under section 141(1)(a)(v) in relation to a security enhanced area or under section 141(1)(a)(vi) at a point in a security enhanced area:

Security management means the aviation security officer in charge at each location specified under rule 140.61(a)(5) and includes that officer’s deputy and any other officer delegated any responsibility by that officer:

Sterile area has the meaning given in section 133 of the Act:

Unauthorised article means those articles referred to in section 11(1) of the Aviation Crimes Act 1972.

140.5 Requirement for certificate

(a) No person may provide aviation security services at a security designated aerodrome or security designated navigation installation except under the authority of, and in accordance with the provisions of, an aviation security service certificate issued under this Part.

(b) This rule does not apply to AvSec (see section 136 of the Act).

140.7 Application for certificate

An applicant for an aviation security service certificate must complete the approved CAA form and submit it to the Director with—

- (1) the exposition required by rule 140.61(a); and
- (2) payment of the appropriate application fee.

140.9 Issue of certificate

The Director must issue an aviation security service certificate if—

- (1) the applicant's senior persons required by rule 140.51 are fit and proper persons; and
- (2) the Director is satisfied that issuing the certificate would be consistent with section 134 of the Act; and
- (3) the applicant's exposition meets the requirements of Subpart B; and
- (4) the granting of the certificate is not contrary to the interests of aviation safety and security or inconsistent with a notice given by the Minister under s137 of the Act.

140.11 Functions and duties of certificate holders

A certificate holder has such of the functions and duties in section 138(1) of the Act as are specified in its certificate and exposition (see section 136(2)), and subject to any qualifications in the exposition or certificate.

140.13 Duration of certificate

- (a) An aviation security service certificate may be granted or renewed for a period of up to five years.
- (b) An aviation security service certificate remains in force until it expires or is suspended or revoked.
- (c) The holder of an aviation security service certificate that expires or is revoked must as soon as possible surrender that certificate to the Director.
- (d) The holder of an aviation security service certificate that is suspended must as soon as possible produce that certificate to the Director for appropriate endorsement.

140.15 Renewal of certificate

- (a) If the holder of an aviation security service certificate wishes to apply for renewal of their certificate, they must use the approved CAA form.
- (b) The application for the renewal must be made before the application renewal date specified on the certificate or, if no such renewal date is specified, not less than 30-days before the certificate expires.

Subpart B — General Requirements

140.51 Personnel requirements

(a) An authorised aviation security service provider other than AvSec must employ—

- (1) a senior person identified as the Chief Executive who has the authority within the applicant's organisation to ensure that all activities undertaken by the organisation can be financed and carried out in accordance with the requirements prescribed by this Part; and
- (2) a senior person or group of senior persons—
 - (i) responsible for ensuring that the applicant's organisation complies with the requirements of this Part; and
 - (ii) ultimately responsible to the Chief Executive; and
- (3) sufficient personnel to plan, inspect, supervise, and carry out the aviation security services detailed under rule 140.61(a)(7)

(b) AvSec must ensure there are suitable personnel for the planning, inspection, supervision, and carrying out of the aviation security services detailed in its documentation under rule 140.61(c), and retain written evidence of the scope of their responsibilities and authority.

(c) An authorised aviation security service provider must —

- (1) establish a procedure to initially assess the ability of a person to perform the duties and requirements of the position of an aviation security officer, taking into account the person's—
 - (i) education; and
 - (ii) communication skills; and
 - (iii) character; and
 - (iv) experience; and
 - (v) health; and

- (2) designate those employees within its workforce who will be aviation security officers; and
- (3) establish a procedure to train and maintain the competence of its aviation security officers; and
- (4) provide personnel who are authorised to plan, inspect, supervise, and carry out the aviation security services detailed under rule 140.61(a)(7) with written evidence of the scope of their authorisation.

140.53 Establishment of operations procedures

- (a) An authorised aviation security services provider must establish procedures necessary to enable the requirements in Appendix A to be complied with.
- (b) An authorised aviation security service provider which is the operator of a security designated navigation installation must establish procedures necessary to enable the requirements in A.12(d) to be complied with.

140.55 Documentation

- (a) An authorised aviation security service provider must establish a procedure to ensure all documentation that is necessary to support the aviation security services that it provides is available to all personnel who need access to the documentation to carry out their duties.
- (b) The documentation referred to in paragraph (a) must include—
 - (1) all relevant legislation; and
 - (2) all relevant international technical manuals or notices on aviation security; and
 - (3) documentation issued to the provider by the Director; and
 - (4) the provider's exposition or equivalent documentation under rule 140.61.

- (c) The provider must establish a procedure to control all documents referred to in paragraph (a) to ensure that—
- (1) the documents are reviewed and approved by appropriate personnel prior to issue; and
 - (2) current issues of relevant documents are available to personnel at all locations where they need access to such documents; and
 - (3) outdated documents are promptly removed from all points of issue or use; and
 - (4) changes to documents are reviewed and approved by appropriate personnel; and
 - (5) the current issue of each document can be identified; and
 - (6) its exposition or equivalent documentation under rule 140.61 is amended so as to remain a current description of the service provider, its services, procedures, and facilities.
- (d) The provider must establish a procedure to provide and maintain a copy of its exposition or equivalent documentation under rule 140.61 at each location specified under rule 140.61(a)(5).

140.57 Records

- (a) An authorised aviation security service provider must establish a procedure to identify, collect, index, store, and maintain the records that are necessary to ensure compliance with this Part.
- (b) The provider must establish a procedure to—
- (1) maintain a register of its aviation security officers, including details of their experience, qualifications, competence, training, medical assessment, and current authorisations; and
 - (2) ensure that—
 - (i) all records are of a legible and permanent nature; and
 - (ii) the records required by paragraph (b)(1) are retained for 2 years from the date the person ceases to be an aviation

security officer employed or designated as such by the provider; and

- (iii) the records required other than by paragraph (b)(1) are retained for 2 years.

140.59 Internal quality assurance

(a) An authorised aviation security service provider must establish an internal quality assurance system to ensure compliance with, and the adequacy of, the procedures required by this Part.

(b) The internal quality assurance system must include—

- (1) a security policy and security policy procedures that are relevant to the provider's goals and the expectations and needs of its customers; and
- (2) a procedure to ensure quality indicators, including defect and incident reports, and personnel and customer feedback, are monitored to identify existing problems or potential causes of problems within the system; and
- (3) a procedure for corrective action to ensure existing problems that have been identified within the system are corrected; and
- (4) a procedure for preventive action to ensure that potential causes of problems that have been identified within the system are remedied; and
- (5) an internal quality audit programme to audit the provider for conformity with the procedures required under this Part and achievement of the goals set in its security policy; and
- (6) management review procedures that may, where appropriate, include the use of statistical analysis, to ensure the continuing suitability and effectiveness of the internal quality assurance system in satisfying the requirements of this Part; and
- (7) in the case of a provider other than AvSec, a procedure to ensure that the senior person who has the responsibility for internal

- quality assurance has direct access to the Chief Executive on matters affecting security; or
- (8) in the case of AvSec, a procedure equivalent to the requirement in paragraph (7) that demonstrates that the person or persons with responsibility for internal quality assurance have direct access to personnel who are accountable for meeting the requirements prescribed in this Part.
- (c) The security policy procedure must ensure that the security policy is understood, implemented, and maintained at all levels within the provider.
- (d) The procedure for corrective action must specify how—
- (1) to correct an existing problem; and
 - (2) to follow up a corrective action to ensure the action is effective; and
 - (3) management will measure the effectiveness of any corrective action taken.
- (e) The procedure for preventive action must specify how—
- (1) to correct a potential problem; and
 - (2) to follow up a preventive action to ensure the action is effective; and
 - (3) to amend any procedure required by this Part as a result of a preventive action; and
 - (4) management will measure the effectiveness of any preventive action taken.
- (f) The internal quality audit programme must—
- (1) specify the frequency and location of the audits taking into account the nature of the activity to be audited; and

- (2) ensure audits are carried out by trained auditing personnel who are independent of those having direct responsibility for the activity being audited; and
 - (3) ensure the results of audits are reported to the personnel responsible for the activity being audited and the manager responsible for internal audits; and
 - (4) require preventive or corrective action to be taken by the personnel responsible for the activity being audited if problems are found by the audit; and
 - (5) ensure follow up audits to review the effectiveness of any preventive or corrective action taken.
- (g) The procedure for management review must—
- (1) specify the frequency of management reviews of the quality assurance system taking into account the need for the continuing effectiveness of the system; and
 - (2) identify the responsible manager who will review the quality assurance system; and
 - (3) ensure the results of the review are evaluated and recorded.

140.60 Additional monitoring and evaluation of AvSec

Where required by the Director, AvSec must establish and maintain additional procedures to enable the Director to monitor and evaluate its performance under section 32(2)(e) of the Act.

140.61 Organisation exposition or equivalent documentation

- (a) An applicant for the grant of an aviation security service certificate must provide the Director with an exposition that contains—
- (1) a statement signed by the Chief Executive, on behalf of the organisation, confirming that the exposition—
 - (i) defines the organisation and demonstrates its means and methods for ensuring ongoing compliance with this Part; and

- (ii) is to be complied with by its personnel at all times; and
- (2) the titles and names of the persons required by rule 140.51(a)(1) and (2); and
- (3) the duties and responsibilities of the persons specified in paragraph (a)(2) including matters in respect of which they deal directly with the Director on behalf of the organisation; and
- (4) an organisation chart showing associated lines of responsibility of the persons and supervisory persons specified in paragraph (a)(2); and
- (5) details of each location where the organisation intends to provide aviation security services and the facilities at each location; and
- (6) a summary of the organisation's staffing structure to be used at each location listed under paragraph (a)(5); and
- (7) details of the aviation security services to be provided at each location; and
- (8) details of the scope of the medical examination report and the method of assessment of fitness required by A.22 of Appendix A; and
- (9) details of the applicant's procedures required by—
 - (i) rule 140.53 regarding the operating procedures; and
 - (ii) rule 140.55 regarding control and distribution of aviation security documentation; and
 - (iii) rule 140.57 regarding the identification, collection, indexing, storage, and maintenance of records; and
 - (iv) rule 140.59 regarding internal quality assurance of the applicant's organisation; and
- (10) procedures for controlling, amending, and distributing the exposition; and

- (11) procedures for notifying, investigating and reporting any security incident to the Director in accordance with Part 12; and
 - (12) procedures for reporting the detection of dangerous goods to the Director.
- (b) An applicant's exposition must be acceptable to the Director.
- (c) AvSec must maintain documentation equivalent to that in paragraphs (a)(5) to (12) above.
- (d) AvSec's documentation must be acceptable to the Director.
- (e) References elsewhere in this Part to requirements or documents under paragraph (a) refer, in relation to AvSec, to any corresponding requirement or document under paragraph (c).

Subpart C — Operating Requirements

140.101 Continued compliance

An authorised aviation security service provider must—

- (1) make available a complete and current copy of its exposition or equivalent documentation under rule 140.61 at each location specified in its exposition or equivalent documentation; and
- (2) comply with all the procedures and systems detailed in that exposition or equivalent documentation; and
- (3) make each applicable part of its exposition or equivalent documentation available to personnel who are required to comply with those parts in the performance of their duties; and
- (4) meet the standards and comply with the requirements of—
 - (i) Subpart B; and
 - (ii) those parts of Appendix A for which it is required to have procedures under rule 140.53.

140.103 Changes to the exposition or equivalent documentation

(a) An authorised aviation security service provider must—

- (1) ensure that its exposition or equivalent documentation under rule 140.61 is amended so as to remain a current description of its organisation; and
- (2) ensure any amendment to its exposition or equivalent documentation meets the applicable requirements of this Part; and
- (3) comply with the amendment procedure contained in its exposition or equivalent documentation; and
- (4) provide the Director with a copy of each amendment to its exposition or equivalent documentation as soon as practicable after the amendment is incorporated into the exposition or equivalent documentation; and

- (5) make such amendments to its exposition or equivalent documentation as the Director may consider necessary in the interests of aviation security.
- (b) The provider must obtain approval from the Director before changing any of the following:
- (1) the chief executive:
 - (2) the listed senior persons:
 - (3) the location at which aviation security services may be provided:
 - (4) the scope for which the certificate is granted:
 - (5) the organisation's internal quality assurance system.
- (c) An application to make any of the changes specified in paragraph (b) must be made on the approved CAA form.
- (d) The Director may prescribe conditions during or following any of the changes specified in paragraph (b).
- (e) The provider must comply with any conditions prescribed under paragraph (d).
- (f) Where any of the changes specified in paragraph (b) requires an amendment to a certificate, the certificate holder must forward the certificate to the Director as soon as practicable.
- (g) Paragraphs (b)(1) to (4) above do not apply to AvSec.

Appendix A — Security Operational Standards

A.1 Sterile area search

An authorised aviation security service provider must—

- (1) ensure that its aviation security officers carry out a sterile area search to confirm the integrity of each sterile area in the following circumstances:
 - (i) prior to the commencement of a period of searching persons;
 - (ii) when the sterile nature of the area may have been compromised; and
- (2) ensure that its aviation security officers, when carrying out a sterile area search—
 - (i) ensure no unauthorised article has been left or hidden in the sterile area; and
 - (ii) ensure that all persons searched are kept segregated from all persons who have not been searched; and
- (3) carry out tests or checks, to confirm—
 - (i) the thoroughness of any search of a sterile area, within each 28-day cycle; and
 - (ii) the proficiency of each aviation security officer carrying out sterile area searches, within each 150-day cycle, in accordance with the recurrent testing provisions of A.24.

A.2 Security control of sterile areas

An authorised aviation security service provider must ensure that—

- (1) all goods and supplies that are to be taken or delivered into any sterile area by a person other than a passenger are subjected to searching or security control to ensure that no unauthorised article is introduced on board any aircraft by this means; and

- (2) its aviation security officers monitor movements within the sterile area to confirm the integrity of the sterile area.

A.3 Aircraft search

(a) An authorised aviation security service provider must ensure that, when its aviation security officers carry out an aircraft search, the search—

- (1) includes passenger seating, overhead lockers, floor areas, toilets, and other areas to which passengers on previous services could have had ready access; and
- (2) is of sufficient intensity to discover any unauthorised article that has been concealed or otherwise introduced on board.

(b) The provider must ensure that, when a flight that is assessed to be a high-risk flight—

- (1) the aircraft is subjected to a complete search by its aviation security officers with the operator's assistance; and
- (2) the search is carried out in a planned manner using the operator's search check-list for that aircraft; and
- (3) the search is of sufficient intensity to discover any unauthorised article that has been concealed or otherwise introduced on board.

(c) The provider must—

- (1) ensure that a record is made of each search carried out under paragraph (a) or (b), that includes details of—
 - (i) the names of the officers carrying out the search; and
 - (ii) any unauthorised articles found; and
 - (iii) any disposal action taken; and
- (2) carry out tests or checks, to confirm—
 - (i) the thoroughness of any search of an aircraft required to be searched, within each 28-day cycle; and

- (ii) the proficiency of each aviation security officer carrying out unsearched or high-risk aircraft searches, within each 150-day cycle, in accordance with the recurrent testing provisions of A.24.

A.4 Screening point security and equipment

An authorised aviation security service provider must ensure—

- (1) that screening points are situated so that every person entering the sterile area from any area not subject to security control must pass through them; and
- (2) sufficient personnel and equipment are available to carry out searching at such a speed that standards can be maintained without the departure of the aircraft being unnecessarily delayed; and
- (3) that if an aviation security officer determines that an item or substance seized or detained at a screening point or in a sterile area may be lawfully carried on an aircraft, the procedures in section 149 (3) of the Act are followed; and
- (4) its aviation security officers are instructed in the use of standard test pieces to ensure that they can competently check the searching equipment; and
- (5) any equipment or apparatus (including a metal detector) used at a screening point is—
 - (i) tested with a standard test piece acceptable to the Director prior to the commencement of a period of searching persons; and
 - (ii) only used if it gives a positive reaction to the standard test piece; and
- (6) any x-ray apparatus or other searching equipment or apparatus used at a screening point is tested in a manner acceptable to the Director.

A.5 Searching of the person

(a) An authorised aviation security service provider must inform all persons about to undergo searching, by notice posted at each screening point or by other equivalent means—

- (1) of the effect of the relevant parts of s143(1)-(4) of the Act; and
- (2) that any person refusing to be searched will be denied entry beyond that point; and
- (3) that any passenger refusing to be searched must be refused carriage by the carrier.

(b) The provider must—

- (1) ensure that its aviation security officers do not allow any person to enter a sterile area through any screening point unless an officer searches that person; and
- (2) ensure that its aviation security officers do not allow any person to enter a sterile area unless an officer searches that person, except if the person is specifically exempted by Cabinet; and
- (3) ensure that its aviation security officers, when searching any person, ensure that person is not carrying or in possession of any unauthorised article; and
- (4) carry out tests or checks to confirm—
 - (i) the thoroughness of any searching, within each 28-day cycle; and
 - (ii) the proficiency of each aviation security officer carrying out the searching, within each 150-day cycle, in accordance with the recurrent testing provisions of A.24.

A.6 Searching by x-ray or other equipment

(a) An authorised aviation security service provider must ensure its aviation security officers, when searching any thing by use of x-ray or other equipment or apparatus—

- (1) satisfy themselves that the thing does not contain any unauthorised article; and
- (2) do not continuously view the presented image on x-ray monitors for periods exceeding 20 minutes; and
- (3) adhere to any health and safety standards in original equipment manufacturer (OEM) requirements and any procedures or methodology approved by the Director; and
- (4) use only equipment or apparatus approved by the Director.

(b) Where an article contained within another article cannot be positively identified as not being an unauthorised article by x-ray or by the other equipment or apparatus being used to carry out the searching, or where any doubt exists, the provider must ensure its aviation security officers do not allow the article or the person who is carrying the article to enter the sterile area until positive identification of the article is made by an officer.

(c) The provider must carry out tests or checks, to confirm—

- (1) the thoroughness of any searching by x-ray or other equipment or apparatus, within each 28-day cycle; and
- (2) the proficiency of each aviation security officer using that equipment or apparatus, within each 150-day cycle, in accordance with the recurrent testing provisions of A.24.

A.7 Hand search of carry-on baggage

(a) An authorised aviation security service provider must ensure that—

- (1) its aviation security officers, when checking carry-on baggage by hand, satisfy themselves that it does not contain any unauthorised article; and

- (2) unless its aviation security officers are satisfied that any carry-on baggage does not contain any unauthorised article, the carriage of that baggage in the aircraft is prohibited, and an officer informs the operator of the aircraft; and
 - (3) where there is any cause to suspect that any item contains an explosive device, its aviation security officers comply with the procedure required by A.11(b)(5).
- (b) The provider must ensure that where a person declines to have any computer, video camera, or other electronic device examined by x-ray or other searching equipment or apparatus, its aviation security officers do not allow the item or the person who is carrying the item to enter the sterile area until an officer—
- (1) where practicable, hand searches the item and requests the person to operate the equipment; and
 - (2) where a hand search is not practicable, clears the item for carriage on board provided—
 - (i) the item operates satisfactorily; and
 - (ii) it is apparent that the item is in new, or near new condition; and
 - (iii) there is no sign of the case having been tampered with or modified, including case-holding screw damage; and
 - (iv) the behaviour of the person does not give cause for concern; and
 - (v) there is no other reason to be concerned as to the item, or its contents.
- (c) The provider must carry out 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 of A.24.

A.9 Surveillance of persons being searched

An authorised aviation security service provider must ensure its aviation security officers—

- (1) on x-ray load duty or carrying out an equivalent task with other equipment or apparatus—
 - (i) are alert for any person who gives cause for concern; and
 - (ii) ensure carried items are positioned in a manner that facilitates the examination; and
- (2) on metal detector duty (or using other searching equipment or apparatus), search all persons who give cause for concern whether or not they activate the alarm.

A.10 Breaches of security

(a) Where searched passengers have had contact with unauthorised unsearched persons in the sterile area an authorised aviation security service provider must ensure that its aviation security officers—

- (1) remove all persons from the sterile area; and
- (2) re-search the sterile area to confirm that no unauthorised article has been left in the sterile area; and
- (3) re-search all persons entering the sterile area in accordance with A.5(b).

(b) Where any unauthorised person is found in a sterile area or on board an aircraft, and a mix of searched and unsearched persons has not occurred, it is sufficient to search the areas at risk.

A.11 Screening point emergencies – action plans and alarms

(a) An authorised aviation security service provider must have a procedure for dealing with any situation, at each screening point, and, as appropriate,

each security enhanced area screening point when the safety of any person has been or is likely to be compromised.

(b) In relation to each screening point, the provider must include in its procedure—

- (1) the building evacuation procedure applicable to the location of each screening point; and
- (2) a system to warn other aviation security officers that an emergency exists; and
- (3) a system whereby its aviation security officers operate covert alarms at each screening point to—
 - (i) alert their local security base and the Police; and
 - (ii) advise other parties in accordance with the requirements of the Aerodrome Emergency Plan required by rule 139.57 of the existence of an emergency; and
- (4) actions to be taken—
 - (i) when a person presents an unauthorised article at the screening point, in circumstances that indicate the person may have criminal intentions; and
 - (ii) when an unauthorised article is identified on the x-ray monitor or by other equipment or apparatus, to ensure its aviation security officers attempt to keep the passenger concerned separated from the suspect item; and
- (5) when a suspected explosive device has been discovered, a procedure to—
 - (i) alert the Police and the aerodrome operator; and
 - (ii) advise any other parties in accordance with the Aerodrome Emergency Plan; and
 - (iii) assist in evacuating the area; and

- (iv) assist the Police in locating and detaining the offender.
- (c) In relation to each security enhanced area screening point that has a procedure under paragraph (a), the provider must include in that procedure those matters listed in paragraph (b) that are appropriate.

A.12 Mobile patrol

(a) Except as provided in paragraph (c) or (d), an authorised aviation security service provider must ensure that its aviation security officers maintain mobile patrols 24 hours daily—

- (1) for the detection of persons who may be a threat to the security of operations at the locations specified in the provider's exposition or equivalent documentation under rule 140.61; and
- (2) to provide a prompt response to security related emergencies at the locations specified in the exposition or equivalent documentation under rule 140.61.

(b) The provider must ensure that its aviation security officers, when carrying out mobile patrols—

- (1) have a thorough knowledge of the location of facilities in the provider's area of responsibility specified in rule 140.61(a)(5); and
- (2) ensure a thorough coverage is given to the area referred to in paragraph (b)(1); and
- (3) ensure patrols are carried out—
 - (i) on an irregular basis; and
 - (ii) to check for unauthorised vehicles and persons; and
 - (iii) to deter unauthorised access to security, or otherwise restricted, areas of the aerodrome; and
- (4) be at the scene of any security related emergency in the airside security area or security enhanced area of a Tier 1 security

designated aerodrome, within 5 minutes of being requested to attend the emergency; and

- (5) patrol cargo and freight areas within airside security areas and security enhanced areas; and
 - (6) patrol navigation installations within the airside security areas and security enhanced areas of an aerodrome; and
 - (7) inspect all perimeter fencing and barriers of any airside security area or security enhanced area of the aerodrome to detect any breach of the security perimeter; and
 - (8) ensure the inspection required by paragraph (b)(7) includes—
 - (i) covering the perimeter at least three times during night and at least three times during day; and
 - (ii) patrols that vary the timing of visits to buildings and facilities; and
 - (iii) checking the integrity of airside security area signs and security enhanced area signs; and
 - (iv) maintaining records of each perimeter inspection to ensure that the required coverage is achieved.
- (c) Where the provider is providing aviation security services at an aerodrome, other than at Auckland, Wellington, or Christchurch International Airports, its aviation security officers may maintain mobile patrols at that aerodrome less than 24 hours daily, without complying with paragraph (b)(8), if—
- (1) the aerodrome operator is providing and maintaining its own 24 hour daily security presence; and
 - (2) its aviation security officers patrol the period from 90 minutes prior to each international departure until 15 minutes after departure.

(d) Where the provider is the operator of a security designated navigation installation it may maintain mobile patrols at that installation less than 24 hours daily provided that it ensures its aviation security officers carry out patrols—

- (1) for the detection of persons who may be a threat to the security of operations at the navigation installation specified in its exposition under this Part; and
- (2) to provide a prompt response to security related emergencies at the navigation installation specified in its exposition under this Part.

A.13 Check point security

An authorised aviation security service provider must ensure that its aviation security officers—

- (1) on duty at any security check point—
 - (i) allow access beyond the check point only to persons with current and valid identity cards or documentation, in accordance with rule 139.209; and
 - (ii) ensure the check point is secured at any time the check point is left unattended; and
- (2) on duty at a vehicle security check point ensure that only authorised persons and vehicles are allowed beyond that check point.

A.14 Random security spot checks

An authorised aviation security service provider must ensure that its aviation security officers carry out random security spot checks on—

- (1) persons who are in or are attempting to enter airside security areas or security enhanced areas to ensure that they have current and valid identity cards or documentation, in accordance with rule 139.209; and
- (2) vehicles to ensure they are authorised to be in the airside security area or security enhanced area.

A.15 Verification – ID cards and licences

An authorised aviation security service provider must ensure that its aviation security officers—

- (1) monitor identification cards and pilot licences used for access purposes; and
- (2) if any doubt exists as to the authenticity of the documentation referred to in subparagraph (1), establish whether the card or licence has been reported lost or stolen, or is otherwise invalid.

A.16 Security escorts

(a) An authorised aviation security service provider must have a procedure that determines the circumstances where persons or vehicles are required to be escorted by an aviation security officer.

(b) The provider must ensure that each aviation security officer, before commencing a security escort, briefs the escorted person—

- (1) where the person is in a vehicle, to follow closely behind the escorting vehicle; and
- (2) to obey all instructions given by the escorting officer.

(c) If the escorted person is to remain in the airside security area or security enhanced area without an escorting officer in attendance, the officer must, before leaving the escorted person, brief that person—

- (1) not to leave the area designated by the escorting officer, without being escorted by an escorting officer; and
- (2) on how to contact the provider when requiring an escort from that area.

A.17 Foot patrols

An authorised aviation security service provider must ensure that—

- (1) foot patrols are carried out by its aviation security officers to detect persons who may pose a threat to the security of civil aviation; and

- (2) its aviation security officers who carry out foot patrols—
 - (i) have a thorough knowledge of the location of facilities in their area of responsibility; and
 - (ii) provide thorough patrol coverage of their area of responsibility; and
 - (iii) provide an immediate response to any notified or detected security related incidents.

A.18 Aircraft security

(a) At any aerodrome for which an authorised aviation security service provider has aviation security service responsibilities, the provider must ensure that—

- (1) its aviation security officers at the aerodrome—
 - (i) keep all aircraft that are in service under general surveillance; and
 - (ii) prevent unauthorised persons from approaching or going on board any aircraft; and
 - (iii) conduct a walk-round visual inspection of aircraft that are in service for international destinations with attention being given to those areas where a person or unauthorised article could be concealed; and
- (2) except as provided in paragraph (b), its aviation security officers patrol all aircraft that are in service for international destinations—
 - (i) on an irregular basis; and
 - (ii) at least once every two hours during night; and
 - (iii) at least once every four hours during day; and

- (3) its aviation security officers request the air operator's representative to attend to the aircraft in the following circumstances:
 - (i) where an unattended aircraft is attached to an air-bridge and is not secure:
 - (ii) where there is cause for concern that the aircraft has been interfered with.
- (b) Where the provider is providing aviation security services at an aerodrome, other than at Auckland, Wellington, and Christchurch International Airports, its aviation security officers may maintain patrols of aircraft that are in service for international destinations at that aerodrome for periods less than that required by paragraph (a)(2), if—
 - (1) the aerodrome operator is providing and maintaining its own 24 hour daily security presence; and
 - (2) its aviation security officers patrol each of those aircraft from 90 minutes prior to its scheduled departure time and remain at that aerodrome until 15 minutes after its departure.

A.19 Patrol vehicles

An authorised aviation security service provider must ensure that each vehicle it uses to patrol airside security areas or security enhanced areas is—

- (1) sign-written and identifiable to other aerodrome users; and
- (2) equipped to a standard acceptable to the Director.

A.20 Intelligence and information

An authorised aviation security service provider must ensure that classified documentation is—

- (1) handled and stored depending on its classification; and
- (2) promulgated to persons (including the Director) only on a *need-to-know* basis.

A.21 Liaison with other organisations

(a) An authorised aviation security service provider must, for each location referred to in rule 140.61(a)(5)—

- (1) consult and liaise with all other organisations involved in contingency planning affecting the security of operations at that location; and
- (2) establish a security committee to ensure that sufficient information is given to other organisations at that location to motivate security awareness on the part of all personnel.

(b) The provider must, for each security committee established under paragraph (a)(2), convene, chair, and minute security committee meetings at regular intervals not exceeding 12 months.

A.22 Aviation security officer – medical requirements

An authorised aviation security service provider must ensure that no person is appointed to the position of an aviation security officer until that person is assessed, on the basis of a medical examination report, as fit to carry out the functions and duties of that position.

A.23 Training

(a) An authorised aviation security service provider must ensure that its personnel do not perform the duties of an aviation security officer unless those personnel—

- (1) receive training on the topics listed in paragraph (c) as applicable to their particular duties; and
- (2) sit an examination at the end of their training; and
- (3) meet the level of competence specified in paragraph (c) for each topic they receive training on.

(b) The grading system of the level of competence specified in paragraph(c) is as follows:

- (1) grade 1 denotes an awareness of the subject:
- (2) grade 2 denotes a basic knowledge of the subject:

- (3) grade 3 denotes the ability to apply a basic knowledge of the subject in situations likely to arise in the course of their duties:
 - (4) grade 4 denotes the ability to apply a thorough knowledge of the subject in situations likely to arise in the course of their duties:
 - (5) grade 5 denotes the ability to apply a thorough knowledge of the subject and to exercise sound judgement in situations likely to arise in the course of their duties.
- (c) The topics and level of competence that personnel referred to in paragraph (a) are required to be trained and assessed on are as follows:

(1) **Legislation relating to aviation security:**

- (i) **Aviation Crimes Act 1972** to examine the powers of an aviation security officer, aircraft commander, and the police and study the crimes that are provided for under the Aviation Crimes Act 1972, to grade 4:
- (ii) **New Zealand Bill of Rights Act 1990** to examine the rights of an individual to be secure against unreasonable search or seizure, to grade 3:
- (iii) **Civil Aviation Act 2023 and Civil Aviation Rules** to examine the responsibilities, functions, and powers of an aviation security officer and offences applicable to aviation security, to grade 5:
- (iv) **Part 19 and 139** to examine the provisions of rules 19.353 19.359, 139.207, and 139.209 to grade 3:
- (v) **Regulations made under section 407(1)(b), (c), (e), (f), and (g) of the Act** to examine the offence provisions and penalties for breaches of rules 19.353, 19.359, 139.207, and 139.209 to grade 3:
- (vi) **Crimes Act 1961** to examine relevant sections of the Crimes Act dealing with endangering transport, to grade 3:

- (vii) **Arrest and use of force** to examine the sections of the Crimes Act dealing with arrest and use of force, to grade 5:
- (2) **Search of a person and baggage:**
 - (i) to outline the general principles governing the searching of a person and baggage, to grade 4; and
 - (ii) to be familiar with and proficient in the use of the relevant screening or searching equipment provided by the provider, to grade 4; and
 - (iii) to have practical experience with the procedures and methods for searching a person and their baggage, to grade 4:
- (3) **Aircraft anti-sabotage checks** to examine the response required when an aircraft requires anti-sabotage checks following a threat or if the aircraft is involved in a previously unsearched service and the measures taken to ensure it is sterile before pre-flight searching, to grade 4:
- (4) **Improvised explosive devices** as they affect civil aviation to give an aviation security officer an understanding of improvised explosive devices likely to be encountered at an airport, in aircraft, or at a screening point, to grade 3:
- (5) **Dealing with armed offenders** to instruct an aviation security officer on the action they should take to handle an armed offender and protect other persons from the threat, to grade 3:
- (6) **Hijack response procedures** to give an aviation security officer an understanding of procedures to be followed in the event of a hijacking, to grade 2:
- (7) **Foot and mobile security patrols** to make an aviation security officer familiar with every aspect of foot and mobile preventive patrols and responding to a security incident, to grade 4:

- (8) **Aerodrome surface movements** to teach an aviation security officer the correct procedure during vehicle movements on the aerodrome, to grade 5:
- (9) **Aeronautical radio-telephone operations and procedures** to teach an aviation security officer the correct radio discipline to the standard of a restricted radio telephone operator certificate, to grade 4:
- (10) **The threat factor** to update an aviation security officer on the current terrorist and criminal trends, to grade 2:
- (11) **Weapons** to familiarise an aviation security officer with a range of firearms and similar weaponry to assist in identification of these items during pre-flight searching duties, to grade 3:
- (12) **Historical background and statistics of acts of unlawful interference** to provide an aviation security officer with a knowledge of the evolution of aviation security and the extent of occurrences, to grade 2:
- (13) **Background information on international obligations** to familiarise an aviation security officer with ICAO, the existence of the Convention, Annex 17 and manuals associated with Annex 17, Document 8973, to grade 1.

A.24 Recurrent testing

- (a) An authorised aviation security service provider must ensure that all its aviation security officers are tested without prior notice using a standard test piece.
- (b) Testing must be designed to assess the integrity of searching procedures and structured to ensure that its aviation security officers being tested have a reasonable opportunity to detect the standard test piece.
- (c) A standard test piece must not be used for recurrent testing unless it is acceptable to the Director.
- (d) Each standard test piece must—
 - (1) represent an unauthorised article; and

- (2) be used under realistic operational conditions.
- (e) The following measure of proficiency must be applied to aviation security officers being tested or re-tested:
- (1) if every standard test piece is detected during testing, the aviation security officer being tested meets the required standard;
 - (2) if a standard test piece is not detected during any test conducted under paragraphs (f) to (k), the aviation security officer being tested has not met the required standard and must—
 - (i) be re-tested; and
 - (ii) be removed from that duty until satisfactorily completing the re-test:
 - (3) if a standard test piece is not detected upon re-test—
 - (i) the examiner carrying out the test must advise security management; and
 - (ii) security management must record the failure; and
 - (iii) security management must have each of its aviation security officers who failed the test attend corrective training and be further tested to show that the officer can meet the standard for the task before that officer is permitted to return to duty on that task.
- (f) The provider must, when carrying out metal detector testing, or testing on the use of other equipment or apparatus used by the provider to search items or people, ensure that—
- (1) the examiner carrying out the test conceals the standard test piece on the test courier in a manner acceptable to the Director; and
 - (2) the test courier—
 - (i) where the detector is a walk through detector, enters the metal detector in the direction of the passenger flow at normal walking speed; or

- (ii) is seated or carried in a conveyance; and
- (3) when a walk-through metal detector alarm activates, the examiner determines whether the aviation security officer being tested locates and identifies the standard test piece by use of a hand-held metal detector or physical search; and
- (4) when a hand-held metal detector alarm activates, the examiner determines whether the aviation security officer being tested locates and identifies the standard test piece; and
- (5) if the alarm on the walk through or hand-held metal detector or on other equipment or apparatus used by the provider to search persons or items is not activated by the proximity of a standard test piece—
 - (i) the examiner informs security management that there is a fault; and
 - (ii) that metal detector or other equipment or apparatus is removed from service until it meets operational standards.
- (g) The provider must, when x-ray testing is being carried out, on testing of other equipment or apparatus used by the provider to search items, ensure that the examiner carrying out the test—
 - (1) places the standard test piece amongst other items in the bag being searched; and
 - (2) determines whether the aviation security officer being tested identifies the standard test piece on the x-ray monitor or other relevant screen or interface and locates the standard test piece by a hand search; and
 - (3) assesses the aviation security officer's judgement of the need for a hand search where the contents cannot be clearly identified on the x-ray monitor.
- (h) The provider must, when hand search testing is being carried out, ensure that the examiner carrying out the test—

- (1) conceals the standard test piece amongst other items in the bag being searched; and
 - (2) determines whether the aviation security officer being tested locates the standard test piece.
- (i) The provider must, when sterile area search testing is being carried out, ensure that the examiner carrying out the test—
- (1) conceals the standard test piece in the sterile area prior to the sterile area search; and
 - (2) determines whether the aviation security officer being tested locates the standard test piece.
- (j) The provider must, when aircraft search testing is being carried out, ensure that the examiner carrying out the test—
- (1) conceals the standard test piece in any part of the aircraft to which the passengers normally have access; and
 - (2) determines whether the aviation security officer being tested locates the standard test piece.
- (k) The provider 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.

A.25 Security enhanced areas

Security enhanced area screening point and equipment

- (a) An authorised aviation security service provider must ensure—
- (1) that persons, items, substances, and vehicles entering, or within, a security enhanced area may be searched according to the specific manner or methodology approved by the Director; and

- (2) that, when conducting searching with respect to persons entering, or within, a security enhanced area, persons, including items, substances, and vehicles associated with them, are searched as required by the Minister or the Director; and
- (3) sufficient personnel and equipment are available to carry out 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 searching equipment; and
- (5) any searching apparatus used at a security enhanced area screening point is tested in a manner acceptable to the Director.

Searching of persons, items, substances, and vehicles

- (b) When undertaking searching, the provider must—
 - (1) at each point where searching is undertaken prior to a person entering the security enhanced area, inform the person who is about to be searched by notice posted at each screening point or by other equivalent means: —
 - (i) of the effect of the relevant parts of sections 143(1)-(4) of the Act; and
 - (ii) that any person refusing to be searched will be denied entry beyond that point; and
 - (2) if undertaking searching within the security enhanced area, inform every person about to be searched that—
 - (i) searching 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 searched 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 searching;
 - (ii) the time taken for searching as required by the Minister or the Director;
 - (iii) the number of people, items, substances, and vehicles searched; and
 - (4) if an unauthorised article is found, ensure that a record is made of—
 - (i) the names of the officers carrying out the searching; and
 - (ii) the unauthorised articles found;
 - (iii) any disposal action taken of the unauthorised article.
- (c) While searching is in progress, the provider must—
- (1) ensure that its aviation security officers, when searching 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 a person's entry to a security enhanced area if the 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 searching, within each 28-day cycle; and
 - (ii) the proficiency of each aviation security officer carrying out the searching, within each 150-day cycle, in

accordance with the recurrent testing provisions under paragraph A.24.

Hand search of items or substances

(d) The provider must ensure that, if there is any cause to suspect that an 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 paragraph A.11(b)(5).

(e) The provider 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 paragraph A.24.