

Civil Aviation Rules



Part 140

CAA Consolidation

16 January 2013

Aviation Security Service Organisations - Certification

DESCRIPTION

Part 140 prescribes the certification requirements for organisations wishing to provide aviation security services in New Zealand and the operating requirements for the continuation of this certification. Part 140 has been established to fulfil the New Zealand obligations under ICAO Annex 17 to provide security services:

- at security designated aerodromes
- at security designated navigation installations

Part 140 adopts the standard layout for the rule parts relating to the certification of organisations. The layout prescribes specific requirements for the certification (entry standards), operation (continued operations), and safety audit (surveillance) of persons providing security services.

This document is the current consolidated version of Part 140 produced by the Civil Aviation Authority, and serves as a reference only. It is compiled from the official ordinary rules that have been signed into law by the Minister of Transport and rule amendments made by Parliament to the Civil Aviation Act 1990. Copies of the official rule and amendments may be obtained from the Civil Aviation Authority or may be downloaded from the official website at: www.caa.govt.nz/

Bulletin

This Part first came into force on 2 November 1998 and now incorporates the following amendment:

Amendment	Effective Date
Amendment 1	1 June 2002
Amendment 2	22 June 2006
Amendment 3	26 September 2007
Amendment 4	18 January 2008
Amendment 5	25 March 2010
Amendment 6	16 January 2013

Summary of amendment:

Amendment 1 (Act 15/2002)	140.11(a) amended. A.5 in Appendix A amended.
Amendment 2 (3/CAR/4)	Rule 140.61 is revoked and substituted, rule 140.63 is inserted, Appendix A.23 is revoked and substituted.
Amendment 3 (Civil Aviation Amendment Act 2007)	Appendix A.5(a)(3) is amended and Appendix A.8 is revoked.
Amendment 4 (Civil Aviation Amendment Act 2007)	Rules 140.3 and 140.11(a)(1) are amended, Appendices A.11(a) and A.11(b) are amended, paragraph (c) is added to Appendix A.11, Appendices A.12(b)(4), A.12(b)(5), A.12(b)(6), A.12(b)(7), A.12(b)(8)(iii), A.14(1), A.14(2), A.16(c) and A.19 are amended, paragraph (k) is added to Appendix A.24, Appendix A.25 is added to Appendix A.
Amendment 5	Rules 140.17 and 140.63 are revoked. Paragraphs A.23, A.24

(9/CAR/1)

and A.25 of Appendix A are
revoked and replaced.

Amendment 6
(7/CAR/1)

Appendix A.21 is revoked and
replaced.

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Subpart A — General

140.1 Applicability

This Part prescribes rules governing the certification and operation of organisations that provide aviation security services at a security designated aerodrome or security designated navigation installation.

140.3 Definitions

In this Part—

Aviation security officer means an employee of a holder of an aviation security service certificate who is designated as such under section 81(2) of the Act or a person for the time being employed as such in the Aviation Security Service:

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:

Normal flight means a flight that is not a high risk flight:

Screening point means that area provided by the aerodrome operator under 139.203(d)(4) for carrying out passenger screening:

Security designated navigation installation means a navigation installation for the time being designated as a security designated navigation installation under section 82 of the Act:

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:

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

Unauthorised article means those articles referred to in section 11(1)(a), (b), (c), and (d) of the Aviation Crimes Act 1972.

140.5 Requirement for certificate

No person shall 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.

140.7 Application for certificate

Each applicant for an aviation security service certificate shall complete form CAA 24140/01 and submit it to the Director with—

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

140.9 Issue of certificate

Subject to section 79A of the Act, the Director shall issue an aviation security service certificate if—

- (1) the applicant's senior persons required by 140.51 are fit and proper persons; and
- (2) the Director is satisfied that the applicant is—
 - (i) the Aviation Security Service; or
 - (ii) an operator of a security designated aerodrome or security designated navigation installation that will provide aviation security services at that aerodrome or navigation installation; 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.

140.11 Functions and duties of certificate holder

(a) Each holder of an aviation security service 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.

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 shall remain in force until it expires or is suspended or revoked.

(c) The holder of an aviation security service certificate that expires or is revoked shall forthwith surrender the certificate to the Director.

(d) The holder of an aviation security service certificate that is suspended shall produce the certificate to the Director for appropriate endorsement.

140.15 Renewal of certificate

(a) An application for the renewal of an aviation security service certificate shall be made by the certificate holder on form CAA 24140/01.

(b) The application for the renewal shall 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 — Certification Requirements

140.51 Personnel requirements

(a) Each applicant for an aviation security service certificate shall 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 140.61(a)(7).

(b) The applicant shall—

- (1) establish a procedure to initially assess the ability of each applicant to perform the duties and requirements of the position of an aviation security officer, taking into account the applicant's—
 - (i) education; and
 - (ii) communication skills; and
 - (iii) character; and
 - (iv) experience; and
 - (v) health; and
- (2) designate those of its employees 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 140.61(a)(7) with written evidence of the scope of their authorisation.

140.53 Establishment of operations procedures

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

140.55 Documentation

(a) Each applicant for an aviation security service certificate shall 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) shall include—

- (1) all relevant legislation; and
- (2) all relevant international technical manuals or notices on aviation security; and
- (3) documentation issued to the certificate holder by the Director; and
- (4) the certificate holder's exposition.

(c) The applicant shall 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 is amended so as to remain a current description of the service provider, its services, procedures, and facilities.

(d) The applicant shall establish a procedure to provide and maintain a copy of its exposition at each location specified under 140.61(a)(5).

140.57 Records

(a) Each applicant for an aviation security service certificate shall establish a procedure to identify, collect, index, store, and maintain the records that are necessary to ensure compliance with this Part.

(b) The applicant shall 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 authorised by the certificate holder; and

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

140.59 Internal quality assurance

(a) Each applicant for an aviation security service certificate shall 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 shall include—

- (1) a security policy and security policy procedures that are relevant to the applicant's organisational 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 applicant's organisation for conformity with the procedures in its exposition 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) 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.

(c) The security policy procedure shall ensure that the security policy is understood, implemented, and maintained at all levels of the organisation.

- (d) The procedure for corrective action shall 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 shall 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 shall—
- (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 shall—
- (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 shall review the quality assurance system; and
 - (3) ensure the results of the review are evaluated and recorded.

140.61 Organisation exposition

- (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

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- (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.

Subpart C — Operating Requirements

140.101 Continued compliance

Each holder of an aviation security service certificate shall continue to—

- (1) hold at least one complete and current copy of its exposition at each location specified in its exposition; and
- (2) comply with all the procedures and systems detailed in its exposition; and
- (3) make each applicable part of its exposition 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 140.53.

140.103 Changes to the exposition

- (a) Each holder of a aviation security service certificate shall—
 - (1) ensure that its exposition is amended so as to remain a current description of its organisation; and
 - (2) ensure any amendment to its exposition meets the applicable requirements of this Part; and
 - (3) comply with the amendment procedure contained in its exposition; and
 - (4) provide the Director with a copy of each amendment to its exposition as soon as practicable after the amendment is incorporated into its exposition; and
 - (5) make such amendments to its exposition as the Director may consider necessary in the interests of aviation security.

(b) Where the certificate holder proposes to make a change to any of the following, prior application to and acceptance by the Director is required:

- (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) shall be made by the certificate holder on form CAA 24140/01.

(d) The Director may prescribe conditions during or following any of the changes specified in paragraph (b).

(e) The certificate holder shall comply with any conditions prescribed under paragraph (d).

(f) Where any of the changes specified in paragraph (b) requires an amendment to the certificate, the certificate holder shall forward the certificate to the Director as soon as practicable.

Appendix A — Security Operational Standards

A.1 Sterile area search

The holder of an aviation security service certificate shall—

- (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 passenger screening;
 - (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 screened are kept segregated from all persons who have not been screened; 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

The holder of an aviation security service certificate shall 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 screening 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) The holder of an aviation security service certificate shall 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 certificate holder shall 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 certificate holder shall—

- (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 unscreened 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

The holder of an aviation security service certificate shall ensure—

- (1) that screening points be 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 screening at such a speed that standards can be maintained without the departure of the aircraft being unnecessarily delayed; and
- (3) uplifted items suitable for carriage on an aircraft are passed to the air operator concerned for carriage as hold stowed baggage; 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 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 passenger screening; and
 - (ii) only used if it gives a positive reaction to the standard test piece; and
- (6) any x-ray apparatus used at a screening point is tested in a manner acceptable to the Director.

A.5 Screening of the person

(a) The holder of an aviation security service certificate shall inform all persons about to undergo screening, by notice posted at each screening point, that—

- (1) screening of the person or their baggage is only undertaken with the consent of that person; and
- (2) any person refusing to be screened will be denied entry beyond that point; and
- (3) any passenger refusing to be screened must be refused carriage by the carrier.

(b) The certificate holder shall—

- (1) ensure that its aviation security officers do not allow any person to enter a sterile area through any screening point unless an officer screens that person; and
- (2) ensure that its aviation security officers do not allow any departing passenger or crew member to enter a sterile area unless an officer screens that passenger or crew member, except if the person is specifically exempted by Cabinet; and
- (3) ensure that its aviation security officers, when screening 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 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 of A.24.

A.6 Screening by x-ray

(a) The holder of an aviation security service certificate shall ensure its aviation security officers, when screening any article by use of x-ray—

- (1) satisfy themselves that it does not contain any unauthorised article; and
- (2) do not continuously view the presented image on x-ray monitors for periods exceeding 10 minutes.

(b) Where an article contained within another article cannot be positively identified by x-ray examination as not being an unauthorised article, or where any doubt exists, the certificate holder shall 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 certificate holder shall carry out tests or checks, to confirm—

- (1) the thoroughness of any x-ray screening, within each 28 day cycle; and
- (2) the proficiency of each aviation security officer carrying out x-ray screening, within each 150 day cycle, in accordance with the recurrent testing provisions of A.24.

A.7 Hand search of carry-on baggage

(a) The holder of an aviation security service certificate shall 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 certificate holder shall ensure that where a passenger declines to have any computer, video camera, or similar item examined by x-ray, 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 passenger 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 passenger 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 certificate holder shall 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 screened

The holder of an aviation security service certificate shall ensure its aviation security officers—

- (1) on x-ray load duty—
 - (i) are alert for any person who gives cause for concern; and
 - (ii) ensure carried items are positioned on the conveyer in a manner that facilitates the work of its aviation security officers on x-ray screen examination; and
- (2) on metal detector duty, screen all persons who give cause for concern whether or not they activate the metal detector alarm.

A.10 Breaches of security screening

(a) Where screened passengers have had contact with unauthorised unscreened persons in the sterile area the holder of an aviation security service certificate shall 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-screen 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 screened and unscreened persons has not occurred, it shall be sufficient to search the areas at risk.

A.11 Screening point emergencies – action plans and alarms

(a) The holder of an aviation security service certificate shall 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 certificate holder shall include in its procedure—

- (1) the building evacuation procedure applicable to the location of each screening point; and

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- (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 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, 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 certificate holder must, if appropriate, include in that procedure any of the items listed in paragraph (b).

A.12 Mobile patrol

(a) Except as provided in paragraph (c) or (d), the holder of an aviation security service certificate shall ensure 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 aviation security service certificate; and
- (2) to provide a prompt response to security related emergencies at the locations specified in the aviation security service certificate.

(b) The certificate holder shall ensure its aviation security officers, when carrying out mobile patrols—

- (1) have a thorough knowledge of the location of facilities in the certificate holder's area of responsibility specified in 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 security area or security enhanced area of a security designated aerodrome, within 5 minutes of being requested to attend the emergency; and
- (5) patrol cargo and freight areas within security areas and security enhanced areas; and
- (6) patrol navigation installations within the security areas and security enhanced areas of an aerodrome; and

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- (7) inspect all perimeter fencing and barriers of any 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 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 Aviation Security Service 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 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 certificate holder 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 the aviation security service certificate; and
- (2) to provide a prompt response to security related emergencies at the navigation installation specified in the aviation security service certificate.

A.13 Check point security

The holder of an aviation security service certificate shall 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 19.357; 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

The holder of an aviation security service certificate shall ensure that its aviation security officers carry out random security spot checks on—

- (1) persons who are in or are attempting to enter security areas or security enhanced areas to ensure that they have current and valid identity cards or documentation, in accordance with 19.357; and
- (2) vehicles to ensure they are authorised to be in the security area or security enhanced area.

A.15 Verification – ID cards and licences

The holder of an aviation security service certificate shall 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) The holder of an aviation security service certificate shall have a procedure that determines the circumstances where persons or vehicles are required to be escorted by an aviation security officer.

(b) The certificate holder shall 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 security area or security enhanced area without an escorting officer in attendance, the officer shall, 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 certificate holder when requiring an escort from that area.

A.17 Foot patrols

The holder of an aviation security service certificate shall 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) The holder of an aviation security service certificate shall ensure that—

- (1) its aviation security officers at the aerodrome specified in its certificate—
 - (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 Aviation Security Service 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 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

The holder of an aviation security service certificate shall ensure that each vehicle it uses to patrol 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

The holder of an aviation security service certificate shall ensure that classified documentation is—

- (1) secured in a locked safe or cabinet depending on its classification; and
- (2) only promulgated to individuals or agencies cleared to receive it and then only on a *need-to-know* basis.

A.21 Liaison with other organisations

(a) A holder of an aviation security service certificate 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 holder of an aviation security service certificate 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

The holder of an aviation security service certificate shall 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) The holder of an aviation security service certificate must ensure that the certificate holder's 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 a written 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 1990 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** to examine the provisions of rules 19.353, 19.355, 19.357, and 19.359, to grade 3:
- (v) **Civil Aviation (Offences) Regulations 2006** to examine the offence provisions and penalties for breaches of rules 19.353, 19.355, 19.357, and 19.359, to grade 3:
- (vi) **Crimes Act 1961** to examine sections 157, 203, 300, 301, and 303 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) **Screening and search of a passenger and baggage:**
 - (i) to outline the general principles governing the screening and search of a passenger and baggage, to grade 4; and
 - (ii) to be familiar with and proficient in the use of the screening equipment provided by the certificate holder, to grade 4; and
 - (iii) to have practical experience with the procedures and methods for searching a passenger and his or her 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 unscreened service and the measures taken to ensure it is sterile before pre-flight screening, 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 the passenger screening point, to grade 3:
 - (5) **Dealing with armed offenders** to instruct an aviation security officer on the action he or she 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 screening 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) The holder of an aviation security service certificate 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 screening 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 certificate holder must, when metal detector testing is being carried out, 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 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 is removed from service until it meets operational standards.
- (g) The certificate holder must, when x-ray testing is being carried out, ensure that the examiner carrying out the test—
 - (1) places the standard test piece amongst other items in the bag being screened; and
 - (2) determines whether the aviation security officer being tested identifies the standard test piece on the x-ray monitor 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 certificate holder 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 certificate holder 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 certificate holder 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 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.

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 prior to a person entering the security enhanced area, inform the person who is 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, inform every person about to undergo screening that—
 - (i) 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

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- (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 screening; and
 - (ii) the unauthorised articles found; and
 - (iii) any disposal action taken of the unauthorised article.
- (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 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 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 paragraph A.24.

Hand search of items or substances

(d) The certificate holder 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 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 paragraph A.24.