



الطيران المدني  
CIVIL AVIATION



مملكة البحرين  
Kingdom of Bahrain

وزارة المواصلات  
MINISTRY OF TRANSPORTATION

## Civil Aviation Regulations 2012 (CAR 002 – Aviation Security)

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*Moving Bahrain Forward*

31<sup>st</sup> December 2012

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**LEGAL NOTICE No:**

**THE CIVIL AVIATION (SECURITY) REGULATIONS, 2012**

**ARRANGEMENT OF THE REGULATIONS**

**PART I - PRELIMINARY**

Regulation

1. Citation
2. Application
3. Purpose of Regulations
4. Interpretation

**PART II - POWERS AND FUNCTIONS OF THE APPROPRIATE AUTHORITY**

5. Functions of Appropriate Authority in relation to aviation security
6. Power to access and inspect airport, etc.
7. Power of Appropriate Authority to issue orders, etc.
8. Authorized persons

**PART III - AVIATION SECURITY PROGRAMMES**

9. National Civil Aviation Security Programme.
10. National Civil Aviation Security Committee.
11. National Civil Aviation Security Quality Control Programme.
12. Independence in implementation.
13. Airport Operator Security Programme.
14. Aircraft Operator Security Programme.
15. Regulated Agent Security Programme.
16. Catering Operator Security Programme.
17. Application for approval of security programme.
18. Approval of security programme.
19. Changed conditions affecting security.
20. Power of Appropriate Authority to direct amendment of security programme.
21. National Aviation Security Training & Certification Programme.

22. Operator aviation security training programme.

## **PART IV - PREVENTIVE SECURITY MEASURES**

### ***Airport Security***

23. Airport Security Committee.
24. Airport security controls
25. Security restricted areas and Airport security permits.
26. Airport boundary.
27. Carriage of firearms, etc., in airport premises.
28. Control of access by tenants.
29. Obligation of airport operator in case of threat against facility or airport.
30. Informing of threat against airport.
31. Taking of measures in event of threat.
32. Discovery of weapons, incendiary devices or explosives at airport.
33. Submission of plans before renovation and expansion works.

### ***Records***

34. Keeping of records by operators.

### ***Aircraft security***

35. Responsibilities of aircraft operator.
36. Special protection for aircraft.
37. Control of prohibited items.
38. Control of access to flight crew compartment.
39. Control of special categories of passengers.
40. Authorised carriage of weapons on board aircraft.
41. Regulated Agents Conditions for acceptance of goods.
42. Conditions for acceptance of hold baggage.
43. Security measures to be taken by aircraft operator.

### ***Catering Operators***

44. Aviation security Responsibilities of catering operators.
45. Conditions for acceptance of catering stores and supplies for Air transportation

## **PART V - MANAGEMENT OF RESPONSE TO ACTS OF UNLAWFUL INTERFERENCE**

46. Prevention of acts of unlawful interference.
47. Appropriate Authority's response to acts of unlawful interference.
48. Mandatory and Confidential reporting.
49. Notification to the International Civil Aviation Organization.

## **PART VI - OFFENCES AND PENALTIES**

50. Offences committed at an airport
51. Offences committed against crew on board aircraft.
52. Offences jeopardizing good order and discipline on board aircraft
53. Other offences committed on board aircraft.
54. Possession of prohibited items.
55. Entry into security restricted areas.
56. Offences relating to airport security permits/passes.
57. Failure to establish and maintain security
58. Obstructing authorized persons.
59. Offences by corporate bodies/entities.
60. Jurisdiction.

## **PART VII - ENFORCEMENT PROVISIONS**

61. Unidentified baggage.
62. Power to stop passengers travelling
63. Powers and responsibilities of pilot in command.
64. Powers of aviation security officers.
65. Power to Exempt
66. Power to enforce compliance.

## **PART VIII - INFRINGEMENT NOTICES**

67. Purpose and effect of infringement notices.
68. Penalty payable under infringement notice.
69. Authorized persons may issue infringement notices
70. Contents of infringement notice.
71. Service of infringement notice.
72. Time for payment of penalty.
73. Extension of time to pay penalty.
74. Effect of payment of penalty.
75. Withdrawal of infringement notice.
76. Notice of withdrawal of infringement notice.
77. Refund of penalty

**PART IX-SAVINGS AND TRANSITIONAL PROVISIONS**

78. Revocation
79. Existing operators.
80. Existing airport security permits.

## THE CIVIL AVIATION (SECURITY) REGULATIONS, 2012

The Minister of Transportation,

Having reviewed the Civil Aviation Law issued by Decree Law No (5) of the Year 1995, particularly Article 5 thereof and;

Following the recommendations by the Undersecretary of Civil Aviation Affairs and in exercising the powers conferred by Article 5 of the Civil Aviation Law, Hereby decrees as follows: -

## THE CIVIL AVIATION (SECURITY) REGULATIONS, 2012

### PART I - PRELIMINARY

#### *Regulation*

#### 1. Citation

These Regulations may be cited as the “Civil Aviation (Security) Regulations”.

#### 2. Application

1. These Regulations apply to-
  - a. All aerodromes in the State;
  - b. Passengers in commercial aviation;
  - c. Persons at airports;
  - d. Persons working in the aviation industry;
  - e. Persons who occupy land or buildings forming part of an airport; and
  - f. Persons on land adjoining or adjacent to, or within the vicinity of airports or air navigation installations which do not form part of an airport.
2. Notwithstanding the generality of sub-regulation (1), these Regulations apply to-
  - a. Operators or owners of airports;
  - b. Operators or owners of aircraft registered in the State or aircraft registered in another ICAO Member State and operating in the State;
  - c. Managers of air navigation installations;
  - d. Persons permitted to have access to security restricted areas at an airport;
  - e. Persons who offers goods for transport by air; and
  - f. Any person whose conduct amounts to an act of unlawful interference or endangers aviation safety.
3. Nothing in these Regulations applies to or affects-

### 3. Purpose Of Regulations

- a. A State aircraft; or
- b. Military or police aviation operations in the State.
- c. The purpose of these Regulations is -
  - a. To safeguard and enhance aviation security against acts of violence or unlawful interference by providing for the protection of-
    - i. Aircraft used for civil aviation, and persons and property on board such
    - ii. aircraft;
    - iii. Airports, and persons and property at airports;
    - iv. Air navigation installations which are not part of airports; and
  - b. To regulate the conduct of persons at airports and persons on board aircraft for the purposes of aviation security.

### 4. Definitions

In these Regulations, unless the context otherwise requires -

"Law" means the Civil Aviation Law;

"Act of unlawful interference" means an act, or attempted act, intended to jeopardize the safety of civil aviation and air transport, including but not limited to-

- a. Unlawful seizure of any aircraft in flight or on the ground;
- b. Taking of hostage on board an aircraft or at an airport;
- c. Forcible intrusion on board an aircraft at an airport or on the premises of an aeronautical facility;
- d. Introduction of a weapon or hazardous device or material on board an aircraft, or at an airport, intended for criminal purposes;
- e. Unauthorized possession, at an airport, or unauthorized introduction on board an aircraft, of a weapon or hazardous device or material;
- f. Destroying or causing damage to air navigation facilities, or interfering with their operation, if any such Law is likely to endanger the safety of aircraft in flight;
- g. Violence against a person on board an aircraft in flight, if that Law is likely to endanger the safety of that aircraft;
- h. Causing destruction to an aircraft in service, or causing damage to an aircraft which renders it incapable of flight or which is likely to endanger its safety in flight;
- i. Communicating information which is known to be false, thereby endangering the safety of an aircraft in flight or on the ground, of passengers, crew, ground personnel or the general public at an airport or on the premises of a civil aviation facility;
- j. Unlawfully and intentionally using any device, substance or

weapon, to-

- i. Perform an act of violence against a person at an airport serving civil aviation which causes or is likely to cause serious injury or death;
- ii. Destroy or seriously damage the facilities of an airport serving civil aviation or an aircraft not in service located at the airport or disrupting the services of the airport, if
- iii. that act endangers or is likely to endanger safety at that airport;

**Access control** means the application of means by which the entry of unauthorised persons or unauthorised vehicles, or both, may be prevented.

**ACCOMPANIED HOLD BAGGAGE** means baggage, carried in the hold of an aircraft, which has been checked in for a flight by a passenger travelling on that same flight.

**ACCOUNT CONSIGNOR** means a consignor who originates cargo or mail for its own account and whose procedures meet common security rules and standards sufficient to allow carriage of that cargo on all-cargo aircraft or mail on all-mail aircraft.

**AIR CARRIER MAIL** means mail whose origin and destination are both an air carrier.

**AIR CARRIER MATERIALS** means materials both whose origin and destination is within an air carrier's control and are for used by an air carrier.

**AIR CARRIER** means an air transport undertaking holding a valid operating license or equivalent.

**AIRCRAFT SECURITY CHECK** means an inspection of those parts of the interior of the aircraft to which passengers may have had access, together with an inspection of the hold of the aircraft in order to detect prohibited articles and unlawful interferences with the aircraft.

**AIRCRAFT SECURITY SEARCH** means an inspection of the interior and accessible exterior of the aircraft in order to detect prohibited articles and unlawful interferences that jeopardise the security of the aircraft.

**AIRPORT** means any area in Bahrain or an ICAO Member State which is open for commercial air transport operations.

**AIRPORT SUPPLIES** means all items intended to be sold, used or made available in security restricted areas of airports.

**AIRSIDE** means the movement area of an airport, adjacent terrain and buildings or portions thereof, access to which is restricted.

**ANNUAL TRAFFIC VOLUME** means the total number of passengers arriving, departing and in transit (counted once).

**APPROPRIATE AUTHORITY** means the national authority designated by Government to be responsible for the coordination and monitoring of the implementation of the National Civil Aviation Security Programme-The Appropriate Authority in for Civil Aviation being the Bahrain Civil Aviation Affairs.

**AIR TRAFFIC MANAGEMENT-ATM SECURITY** means the policies, systems and procedures that protect the ATM system from threats that are directly aimed at ATM assets, or at other parts of the aviation system where ATM plays a key role in the prevention of, or response to, such threats.

**AUDITOR** means any person conducting national compliance monitoring activities on behalf of the appropriate Authority.

**AVIATION SECURITY** means the combination of measures and human and material resources intended to safeguard civil aviation against acts of unlawful interference that jeopardise the security of civil aviation.

**BACKGROUND CHECK** means a recorded check of a person's identity, including any criminal history, as part of the assessment of an individual's suitability for unescorted access to security restricted areas.

**SECURITY SCANNER** means a system that is capable of detecting concealed prohibited items worn on a person's body and indicating detection by means of an alarm. A human screener can be an integral part of the system.

**CABIN BAGGAGE** means baggage intended for carriage in the cabin of an aircraft.

**CARGO** means any property intended for carriage on an aircraft, other than baggage, mail, air carrier mail, air carrier materials and in-flight supplies.

**CERTIFICATION (OF AUDITORS/SCREENERS)** means a formal evaluation and confirmation by or on behalf of the Appropriate Authority that a person possesses the necessary competencies to perform the functions of an auditor or screener, to an acceptable level as defined by the Appropriate Authority.

**CHICAGO CONVENTION** means the Convention on International Civil Aviation and its annexes, signed in Chicago on 7 December 1944.

**CIVIL AVIATION** means any air operation carried out by civil aircraft, excluding operations carried out by The State aircraft referred to in Article 3 of the Chicago Convention on International Civil Aviation.

**COMMERCIAL FLIGHT** means a scheduled or non-scheduled flight or flight activity rendered for hire to the general public or private groups for valuable consideration.

**COMPLIANCE MONITORING ACTIVITIES** means any procedure or process used for assessing the implementation of this document and the National Aviation Security Programme.

**CONTINUOUS RANDOM CHECKS** means checks conducted during the entire period of activity, whilst those checks are to be conducted on a random basis.

**CRITICAL PARTS OF SECURITY RESTRICTED AREAS** means at least those parts of an airport, where more than 40 persons hold airport identification cards giving access to security restricted areas, to which screened departing passengers have access and those parts through which screened departing hold baggage may pass or in which it may be held, unless it concerns secured baggage.

**CRITICAL AVIATION INFORMATION SYSTEM** means the set of information resources organised expressly for the collection, processing, maintenance, use, sharing, dissemination or disposal of information involved in all safety-critical aspects of aviation operations.

**DEMARCATED AREA** means an area that is separated by means of access control either from security restricted areas, or, if the demarcated area itself is a security restricted area, from other security restricted areas of an airport.

**DEFICIENCY** means a failure to comply with an aviation security requirement.

**DEPORTEES (DEPO)** means persons who had legally been admitted to an **ICAO** Member State by its authorities or who had entered it illegally, and who at some later time are formally order by the Authorities to leave that Member State.

**EXPLOSIVE DETECTION SYSTEM (EDS)** means a system or combination of different technologies which has the ability to detect, and so to indicate by means of an alarm, specified and higher individual quantities of explosive material contained in baggage or other consignments.

**ENTITY** means a person, organisation or enterprise, other than an operator.

**HOLD BAGGAGE** means baggage intended for carriage in the hold of an aircraft.

**HUMAN FACTORS PRINCIPLES** means principles which apply to equipment design, certification, training and operations and which seek optimum interface between the human and other system components by proper consideration to human performance.

**HUMAN PERFORMANCE** means human capabilities and limitations which have an impact on the safety, security and efficiency of aeronautical operations.

**GCC AIR CARRIER** means an air carrier holding a valid operating license granted by a GCC Member State in accordance with the existing GCAA rules on cooperation and development of the aviation industry.

**INSPECTION** means an examination of the implementation of security measures and procedures in order to determine whether they are being carried out effectively and to the required standard and to identify any deficiencies.

**INTERVIEW** means an oral check by an auditor to establish whether specific security measures or procedures are implemented.

**INADMISSIBLE PERSONS (INAD)** means persons whose entry to an **ICAO** Member State is refused by the competent authorities and who are being transported back to their country of departure, or to any other country where the persons are admissible.

**IN-FLIGHT SECURITY OFFICER** means a person who is employed by a State to travel on an aircraft of an air carrier licensed by it with the purpose of protecting that aircraft and its occupants against acts of unlawful interference that jeopardise the security of the flight.

**IN-FLIGHT SUPPLIES** means all items other than:

- i. Cabin baggage;
- ii. Items carried by persons other than passengers; and
- iii. Air carrier mail and air carrier materials; intended to be taken on board an aircraft for use, consumption or purchase by passengers or crew during a flight.

**KNOWN CONSIGNOR** means a consignor who originates cargo or mail for its own account and whose procedures meet common security rules and standards sufficient to allow carriage of cargo or mail on any aircraft.

**KNOWN SUPPLIER OF IN-FLIGHT SUPPLIES** means a supplier whose procedures meet common security rules and standards sufficient to allow delivery of in-flight supplies to an air carrier or regulated supplier, but not directly to aircraft.

**KNOWN SUPPLIER OF AIRPORT SUPPLIES** means a supplier whose procedures meet common security rules and standards sufficient to allow delivery of airport supplies to security restricted areas.

**LANDSIDE** means those parts of an airport, adjacent terrain and buildings or portions thereof that are not airside.

**LIQUID EXPLOSIVE DETECTION SYSTEM (LEDS)** is a system that is capable of distinguishing between liquid explosive materials and benign Liquids, Aerosols and Gels (LAGs) that are presented at checkpoints for screening. LEDS are able to detect a range of liquid explosive threats. A human screener may be an integral part of the system and this aspect is covered in the Concept of Operations as supplied by the LEDS manufacturer.

**MAIL** means dispatches of correspondence and other items, other than air carrier mail, tendered by and intended for delivery to postal services in accordance with the rules of the Universal Postal Union.

**NATIONAL CIVIL AVIATION SECURITY PROGRAMME (NCASP)** details regulations, responsibilities and acceptable means of compliance that are necessary to protect passengers, crew, ground personnel and the general public from acts of unlawful interference with civil aviation.

**NATIONAL CIVIL AVIATION SECURITY TRAINING AND CERTIFICATION PROGRAMME (NCASTCP)** details regulatory competencies, skills requirements and mandatory training courses and acceptable as means of compliance that are necessary to for all

personnel involved with working in the aviation industry in protecting it from acts of unlawful interference with civil aviation.

**NATIONAL CIVIL AVIATION SECURITY QUALITY CONTROL PROGRAMME (NCASQCP)** details regulatory means for checking compliance and ensuring any shortfalls are responsibly addressed as required to necessitate protecting passengers, crew, ground personnel and the general public from acts of unlawful interference with civil aviation.

**OPERATOR** means a person, organisation or enterprise engaged, or offering to engage, in an air transport operation.

**OBSERVATION** means a visual check by an auditor that a security measure or procedure is implemented or not.

**PERSONS IN LAWFUL CUSTODY** means persons either under arrest or convicted by a court of law who have to be transported.

**PROHIBITED ARTICLES** means weapons, explosives or other dangerous devices, articles or substances that can and or may be used, to commit an act of unlawful interference that jeopardises the security of civil aviation.

**POTENTIALLY DISRUPTIVE PASSENGER** means a passenger who is either a deportee, a person deemed to be inadmissible for immigration reasons or a person in lawful custody.

**REPRESENTATIVE SAMPLE** means a selection made from amongst possible options for monitoring which is sufficient in number and range to provide a basis for general conclusions on implementing standards.

**REGULATED SUPPLIER OF IN-FLIGHT SUPPLIES** means a supplier whose procedures meet common security rules and standards sufficient to allow delivery of in-flight supplies directly to aircraft.

**REGULATED AGENT** means an air carrier, agent, freight forwarder or any other entity who ensures security controls in respect of cargo or mail.

**SCREENING** means the application of technical or other means which are intended to identify and/or detect prohibited articles.

**SECURITY AUDIT** means an in-depth examination of security measures and procedures in order to determine if they are being fully implemented on a continual basis.

**SECURITY CONTROL** means the application of means by which the introduction of prohibited articles may be prevented.

**SECURITY EXERCISE** means a full-scale security exercise is a simulated act of unlawful interference with the objective of ensuring the adequacy of the contingency plan to cope with different types of emergencies. A partial security exercise is a simulated act of unlawful interference with the objective of ensuring the adequacy of the response to individual participating agencies and components of the contingency plan, such as the communications system.

**SECURITY INVESTIGATION** means a security investigation is an inquiry into-:

- i. Acts of unlawful interference against civil aviation; and
- ii. Breaches of internationally accepted civil aviation security measures, standards and recommended practices.

**SECURITY RESTRICTED AREA** means that area of airside where, in addition to access being restricted, other aviation security standards are applied.

**SECURITY SURVEY** means a comprehensive study, which shall be notified in advance, of airports and air carrier operations, or operations by entities associated with the security of civil aviation: to identify their vulnerability to acts of unlawful interference and security measures necessary to fulfill current policy.

**SERVICE PANEL** means aircraft external access point used for providing aircraft services; such includes water, lavatory, ground electrical outlets and other service compartments that have external clip-down panels.

**TEST** means a trial of aviation security measures, where the appropriate authority simulates intent to commit an act of unlawful interference for the purpose of examining the effectiveness of the implementation of existing security measures.

**TERMINAL** means the main building or group of buildings where the processing of commercial passengers and freight and the boarding of aircraft occurs.

**THREAT IMAGE PROJECTION (TIP)** means a software programme, which can be installed on certain x-ray machines. The programme projects virtual images of threat articles (e.g. gun,

knife, improvised explosive device) within the x-ray image of a real bag under examination and provides immediate feedback to the x-ray machine operator on the operator's ability to detect such images.

**TRACE DETECTION EQUIPMENT** means a technology system or combination of different technologies which has the ability to detect very small amounts (1/billion of a gram), and so to indicate by means of an alarm, explosive materials contained in baggage, or other articles subjected for analysis.

**TRANSFER PASSENGERS, BAGGAGE, CARGO OR MAIL** means passengers, baggage, cargo or mail departing on an aircraft other than that on which they arrived.

**TRANSIT PASSENGERS, BAGGAGE, CARGO OR MAIL** means passengers, baggage, cargo or mail departing on the same aircraft as that on which they arrived.

**UNACCOMPANIED HOLD BAGGAGE** means baggage accepted for carriage in the hold of an aircraft, on which the passenger who checked it in is not onboard.

**UNIDENTIFIED BAGGAGE** means baggage at an airport, with or without a baggage tag, which is not picked up by or identified with a passenger.

**UNRULY PASSENGERS** means persons who commit on board a civil aircraft, from the moment when the aircraft door is closed prior to take-off to the moment when it is reopened after landing, an act of: assault, intimidation, menace or willful recklessness which endangers good order or the safety of property or persons; assault, intimidation, menace or interference with a crew member in performance of duties or which lessens his/her ability to perform duties; willful recklessness or damage to an aircraft, its equipment, or attendant structures and equipment such as to endanger good order and safety of the aircraft or its occupants; communication of information which is known to be false, thereby endangering the safety of an aircraft in flight; disobedience of lawful commands or instructions for safe, orderly or efficient operations.

**VERIFICATION** means an action taken by an auditor to establish whether a specific security measure is actually in place.

**VULNERABILITY** means any weakness in the implemented measures and procedures which could be exploited to carry out an act of unlawful interference.

## **PART II –**

### **5. Functions of Appropriate Authority in relation to Aviation Security**

## **ORGANISATION**

1. The Appropriate Authority shall-
  - a. Be responsible for regulating, devoid of directly operating thereof any aviation security control measures in place in the State;
  - b. Have Oversight on the security operations or control measures of the airport(s), aircraft, regulated agents and catering operators, as the case may be and as enshrined by the ICAO State Oversight Program Doc 9734, ICAO Annex 17 SARP's, and EU Doc 30(As a party with Airlines servicing EU Member States<sup>9</sup>for the purpose of -
    - i. Protecting passengers, crew members, airport, and other aviation facilities;
    - ii. Preventing unlawful interference against civil aviation; and
    - iii. Assuring that appropriate action is taken when an act of unlawful interference occurs or is likely to occur;
  - c. Define and allocate tasks and coordinate activities under the National Civil Aviation Security Programme, between the ministries, departments, agencies and other organisations responsible for the various aspects of aviation security.
  - d. Spearhead and give technical guidance on the provision of a comprehensive and effective legal structure, consistent with the environment and complexity of the Kingdom's aviation security activity, to implement the provisions of Annex 17 and relevant security-related provisions contained in other Annexes to the Convention on International Civil Aviation, and to effect the implementation of the Kingdom's aviation security requirements.
  - e. Provide adequate programmes and regulations to address, at a minimum, national requirements emanating from the aviation security legislation and providing for standardized implementation procedures, equipment and infrastructures (including security management and training systems) in conformance with the Standards and Recommended Practices of Annex 17 and security-related provisions contained in other Annexes to the Convention on International Civil Aviation.
  - f. Designate a fully-fledged Directorate, with a qualified Director with a minimum of the ICAO AVSEC PM and the EU-CASM amongst other tertiary qualifications, within its mandate as the Appropriate National Authority

for aviation security matters, supported by appropriate technical and non-technical staff and provided with adequate financial resources to undertake security regulatory functions, including the development and maintenance of an effective NCASP, NCASTCP and NCASQCP, the promulgation of regulations necessary to carry out national aviation security policies, the allocation of tasks and the coordination of responsibilities between government agencies.

- g. Establish of minimum knowledge, qualification and experience requirements for the post-holders, technical personnel performing aviation security operations, training, program implementation, oversight and regulatory functions and the provision of appropriate training to these personnel to maintain and enhance their competence at the desired level. Provision of and or technical guidance in all aspects of training to the aviation industry in the State, on the implementation of applicable aviation security requirements, measures and procedures.
- h. Provide technical guidance (including processes and procedures), tools (including facilities and equipment where necessary) and security-critical information, as applicable, to the technical personnel to enable them to perform their security operations, training, oversight and or regulatory functions in accordance with established requirements and in a standardized manner. This element also includes the provision of technical guidance to the aviation industry in the Kingdom on the implementation of applicable regulations, instructions and programmes.
- i. Implement processes and procedures to ensure that personnel and organizations performing an aviation security activity meet the established requirements (for example, certification of screeners, approval of security programmes) before they are allowed to conduct the relevant activity.
- j. Design and Implement processes, such as audits, inspections, surveys and tests, to proactively ensure that aviation security entities continue to meet the established requirements and operate at the level of competency and security required by the State. This includes the monitoring of designated personnel who perform security training, operational management, oversight and or regulatory functions in the Kingdom.
- k. Implement processes and procedures to resolve identified deficiencies impacting aviation security. This includes,

analyzing security deficiencies; provision of recommendations to prevent reoccurrence; tracking the rectification of identified deficiencies, including any follow-up procedures to ensure the effective implementation of corrective actions; and taking remedial action when appropriate.

2. The Appropriate Authority shall, in respect of each operator, stakeholders, contractors, government agents and or partners-
  - a. Conduct security surveys to identify security needs at least once in each year;
  - b. Conduct security inspections and audits of security controls; and
  - c. Conduct security tests of security controls to assess their effectiveness.

**6. Power to access and inspect airport, aircraft and operator's premises**

1. The Appropriate Authority shall have free and unobstructed access at all times to an airport, an aircraft operating from or within the State, and the premises of an operator, stakeholder, partner and or contractor for the purpose of inspecting security operations or to carry out security inspections and surveys, safety and security audits and testing functions.
2. The Appropriate Authority shall ensure that a code of conduct, guidelines and or rules for inspection of any such operator, stakeholders and or partners are drawn; the officials are trained in them and held accountable in upholding them.

**7. Power of Appropriate Authority to issue orders, circulars and directives**

1. The Appropriate Authority shall issue orders, circulars and directives prescribing any aviation security matter which, under these Regulations, is to be prescribed, and generally for the better carrying out or enhancing of the objects and purposes of these Regulations.
2. The orders, circulars directives and or instructional material referred in 7a) shall form the last tier of the security management system and address the critical elements as required by the ICAO Security Oversight Manual Doc 9734

**8. Authorised persons**

The Appropriate Authority shall, in writing, designate qualified persons, whether by name or by title of office, to be authorised persons for the purposes of these Regulations and shall the functions and limits of operation of the authorised persons.

This include and are not limited to-

- a. Exercising loyalty, discretion and conscience to the functions entrusted them as an officer of State;

- b. Discharge of these functions to the best of their ability;
- c. Conducting themselves with integrity, impartiality and honesty; Abiding by the rules, procedures, and guidance set out in the NCASQCP Audit Reference Protocol.  
Misuse of the official position
- d. Receiving benefits of any kind from a third party which might reasonably be seen to compromise their personal judgment or integrity; Understanding and respecting the culture, customs, habits and national laws to avoid giving cause for resentment.
- e. Abstain from conduct which would reflect adversely on the audit team and which would prejudice the Appropriate Authority; Confidentiality and non- disclosure of any information of confidential nature.

### **PART III -**

### **SECURITY PROGRAMMES**

#### **9. National Civil Aviation Security Programme**

1. The Appropriate Authority shall –
  - a. Establish a written National Civil Aviation Security Programme and all other required programs including training and certification and ensure their implementation to safeguard civil aviation against acts of unlawful interference through regulations, practices and procedures which take into account the safety, regularity and efficiency of flights; and
  - b. Make available to airports and aircraft operators operating in the State and other operators and entities concerned, a written version of the appropriate part of the National Civil Aviation Security Programme.
2. Without limiting the generality of subregulation (1) (a), the National Civil Aviation Security Programme shall include as a minimum the following matters –
  - a. Allocation of responsibilities for implementation of the programme;
  - b. Co-ordination, facilitation and communications;
  - c. Protection of airports, aircraft and navigation facilities;
  - d. Security control of persons and items being placed on board aircraft;
  - e. Security equipment;
  - f. Personnel, including selection criteria and training;
  - g. Management of response to acts of unlawful interference;
  - h. Evaluation of effectiveness of the programme;
  - i. Adjustment of the programme and contingency plans; and
  - j. Financing of security.

3. The National Civil Aviation Security Programme shall be reviewed and updated as the need may arise and at least once in each year.
4. Recipients shall at all times exercise duty of care on the Program and treat it as RESTRICTED SENSITIVE SECURITY INFORMATION-to be given access to on a need to know bases only.
5. Whilst using the program and or when one is in doubt of an issue and does not find it reflected therein, the user shall consult other documents within the 6 tier approach of the State Aviation Security System.

**10. National Civil Aviation Security Committee**

1. There shall be a National Civil Aviation Security Committee for the purpose of –
  - a. Advising and coordinating security activities between ministries, departments, agencies and other organisations of the State, airports and aircraft operators and other entities concerned with or responsible for the implementation of various aspects of the National Civil Aviation Security Programme; and
  - b. Recommending and reviewing the effectiveness of security measures and procedures.
2. The National Civil Aviation Security Committee shall be appointed by the Minister and shall consist of persons from ministries, departments, agencies and other organisations of the State, airports and aircraft operators and other related entities.
3. Without limiting the generality of sub regulation (2) the Minister shall, in appointing members of the National Civil Aviation Security Committee, ensure that it comprises one member from each of the following departments, agencies or organisations-
  - a. The Appropriate Authority;
  - b. The Chairperson of the National Air Transport Facilitation Committee;
  - c. The Airport Operator;
  - d. The ministry responsible for security or internal affairs;
  - e. Intelligence organisations;
  - f. The armed forces;
  - g. The department responsible for immigration;
  - h. Representation of the associations of local and international scheduled airlines;

- i. The National regulatory agency responsible for communications; and
  - j. The Department responsible for customs.
  - k. The Ministry of Health by Invitation
  - l. The Ministry of Foreign Affairs
4. The members of the National Civil Aviation Security Committee shall hold office on terms and conditions recommended by the Appropriate Authority and specified in their instruments of appointment.
  5. The members of the National Civil Aviation Security Committee shall be paid if so deemed necessary such sitting and other allowances as the Appropriate Authority may determine.
  6. The Minister shall be the Chairperson of the Committee and may delegate the chair to the senior most within the Appropriate Authority in his absence.
  7. The National Civil Aviation Security Committee may invite any person to attend and take part in the proceedings of the Committee and that person may participate in any discussion at the meeting but shall not have a right to vote at that meeting.
  8. The National Civil Aviation Security Committee shall meet for the discharge of its functions as often as is necessary, at a time and place specified by the Chairperson, and in any case, shall meet at least once in every six months.
  9. Subject to this regulation, the National Civil Aviation Security Committee shall regulate the procedure for its meetings.

**11. National Civil Aviation Security Quality Control Programme**

1. The Appropriate Authority shall develop, implement and maintain a National Civil Aviation Security Quality Control Programme for the purposes of –
  - a. Determining and monitoring compliance with and validating the
  - b. Effectiveness of the National Civil Aviation Security Programme;
  - c. Determine the adequacy and effectiveness of the National Aviation
  - d. Security Programme through audits, tests, surveys and inspections;

- e. Ensuring that all persons who are assigned aviation security duties or responsibilities are verifiably trained and instructed to carry out those duties
  - f. Ensuring that persons implementing security controls possess all competencies required to perform their duties and are appropriately trained and certified;
  - g. Ensuring that acts of unlawful interference are investigated; and
  - h. Reviewing and re-evaluating security measures and controls immediately following an act of unlawful interference.
2. The Appropriate Authority shall, in developing the National Civil Aviation Security Quality Control Programme, ensure the incorporation of appropriate methods, means and procedures for-
- a. Ensuring that the personnel carrying out security audits, tests, surveys and inspections are trained to appropriate standards for these tasks in accordance with the National Civil Aviation Security Programme;
  - b. Ensuring that the personnel carrying out security audits, tests, surveys and inspections are afforded the necessary Appropriate Authority to obtain information to carry out those tasks, and to enforce corrective actions;
  - c. Supplementing the National Civil Aviation Security Quality Control
  - d. Programme by establishing a confidential reporting system for analyzing security information provided by sources including passengers, crew and ground personnel.
  - e. Establishing a process to record and analyse the results of the National Civil Aviation Security Quality Control Programme, to contribute to the effective development and implementation of the National Civil Aviation Security Programme, including identifying the causes and patterns of noncompliance and verifying that corrective actions have been implemented and sustained.
3. The National Civil Aviation Security Quality Control Programme shall-
- a. Provide for structures, responsibilities, processes and procedures that promote and establish an environment and culture of continuing improvement and enhancement of aviation security; and the means for ensuring that persons tasked with carrying out security duties do so effectively; and

- b. Provide all persons assigned aviation security duties or responsibilities with direction for the effective application of aviation security controls, to prevent acts of unlawful interference.

**12. Independence in implementation of programme**

The Appropriate Authority shall ensure that the management, setting of priorities and organisation of the National Civil Aviation Security Quality Control Programme is undertaken independently from the entities and persons responsible for the implementation of the measures taken under the National Civil Aviation Security Programme.

**13. Airport Operator Security Programme**

1. No Foreign Person and or Entity shall operate or be engaged in liaison and or partnership with a Bahraini National or entity to operate an airport in the State.
2. A person or entity shall not operate an airport without an Airport Operator Security Programme approved by the Appropriate Authority.
3. The operator of an airport serving civil aviation in the State shall establish and implement a written Airport Operator Security Programme that meets the requirements of the National Civil Aviation Security Programme and these Regulations.
4. The operator shall have a full-fledged operational department, headed by a post holder with a minimum qualification of the ICAO AVSEC PM amongst other tertiary qualifications required as reiterated on sub-para 4 b) and **the NCASP**.
5. An Airport Operator Security Programme shall:
  - a. Detail the specific security measures and procedures to be implemented at the airport that comply with the requirements of the National Civil Aviation Security Programme;
  - b. Provide for the appointment of a person who shall coordinate the implementation of the National Civil Aviation Security Programme;
  - c. Provide for the establishment of an Airport Security Committee in conformity with the requirements stipulated in the National Civil Aviation Security Programme;
  - d. Require the integration of the needs of aviation security into the design and construction of new facilities and

- alterations to existing facilities at the airport;
  - e. Provide measures to control aircrafts from unlicensed airstrips.
  - f. Contain a contingency plan providing for matters including-
    - i. Measures and procedures in case of hijack of aircraft and hostage taking at the airport and on board aircraft;
    - ii. Access and procedures in case of sabotage, including bomb threats to aircraft and to the airport;
    - iii. Access and procedures in case of terrorist attacks on aircraft and the airport, including attacks using man portable air defense systems (MANPADS) or chemical, biological and other weapons;
    - iv. Procedures when a prohibited item is found or is believed to be on board an aircraft;
    - v. Evacuation and search of aircraft on the ground;
    - vi. Special security measures to be enacted during periods of increased threat or for critical flights and routes;
    - vii. Contain any other matter prescribed by the Appropriate Authority.
6. An Airport Operator Security Programme shall be in accordance with the requirements prescribed in the National Civil Aviation Security Programme.
7. As required by para 3 and for the reasons reiterated by sub para 4 b) the Airport Security Programme shall contain a corporate policy statement on commitment to the dictates of the National Civil Aviation Security Programme, the empowerment of the aviation security post holder, who shall report directly to the chief executive officer and command a fully-fledged team thereof in fulfilling the requirements of the National Civil Aviation Security Program to the letter.
8. Where there exists default on the part of Management as regards the implementation of the National Civil Aviation Security Program, the Airport Security Program shall encompass a non-punitive and confidential reporting system to the Appropriate Authority.
9. The Airport Operator Security Programme shall contain a detailed organizational structure, role and responsibilities of all the staff recruited therein to implement the dictates of the National Civil Aviation Security Program.

10. The Airport Operator Security Programme shall be reviewed and updated as the need may arise and at least once a year.

#### **14. Aircraft Operator Security Programme**

1. A person and or entity shall not operate an aircraft serving civil aviation from or within the State without an Aircraft Operator Security Programme approved by the Appropriate Authority, which shall form part of the Air Operator Certification-AOC.
2. Air Operator providing service in or from the State shall establish and implement a written Aircraft Operator Security programme that meets the requirements of the National Civil Aviation Security Programme and these Regulations.
3. The Operator shall further ensure the existence within management of, a department under a qualified person and post-holder with a minimum of the qualification as required by the NCASP, that shall be charged with the responsibility of-
  - a. Implementing the requirements of the National Civil Aviation Security Training and Certification Programme
  - b. Advising management on all matters appertaining to Aviation Security Management.
  - c. Managing the Aviation Security Department, advising contractor and clients of all requirements of the National Civil Aviation Security Program.
  - d. As the in-house subject matter expert, advising all other departments such as finance on budgeting for security, training curriculum development, human resources, recruitment and staff development
4. The Aircraft Operator Security Programme shall specify the measures, procedures and practices to be followed by the operator to protect passengers, crew, ground personnel, aircraft and facilities from acts of unlawful interference and shall include, at a minimum-
  - a. The objectives of the programme and responsibility for ensuring its implementation;
  - b. The organisation of the operator's security functions and responsibilities, including the designation of the manager in charge of aviation security; the direct reporting structure to the chief executive officer,
  - c. Mandatory advisory role to all other departments,
  - d. Designation as the in-house subject matter expert to be consulted by all with Aviation Security queries,

- curriculum development, training and or duties thereof.
- e. Specific security measures including-
- i. Mandatory pre-flight security searches and checks of aircraft, that must at all times be conducted by security staff and cabin crew, prior to every flight regardless of turnaround times and or the airline management miscued priority of service overruling security and safety, of which the aircraft security checklist, shall be signed by the Captain as the final authority, authenticating the search was conducted as required.
  - ii. Provision of minimum cabin crew allocation as per aircraft type for enhancement of safety & security inflight (A320, minimum 5 cabin crew, A321 minimum 6 cabin crew and A330 minimum 10 cabin crew). As a mandatory safety and security obligation taking effect on commencement of these regulations.
  - iii. Procedures to ensure that no weapons, explosives and other dangerous devices are left on board by disembarking passengers at transit stops;
  - iv. Reconciliation of hold baggage with boarding passengers, including transit and transfer passengers;
  - v. Measures and procedures to ensure safety on board the aircraft where passengers to be carried are obliged to travel as subjects of judicial and administrative proceedings;
  - vi. Procedures for the carriage of weapons in the cabin compartment and the aircraft hold subject to prior approval from BCAA;
  - vii. In-flight procedures when a prohibited item is found or is believed to be on board an aircraft;
  - viii. Security of, and control of access, to parked aircraft;
  - ix. Protection of hold baggage, cargo, mail and aircraft catering supplies and stores, their reception from catering and refusal to accept for use if seals and or tamper evident stickers are not used, missing or tampered with
  - x. Response procedures for crew members and other staff to occurrences and threats;
  - xi. Protection of flight documents;
  - xii. Procedures for screening, securing and control of known stores and unknown stores;

- xiii. Procedures for application of security controls for COMAIL and
- xiv. COMAT;
- xv. Measures to ensure the effectiveness of the programme, including adequate training of staff and the periodic testing and evaluation of the security programme;
- xvi. Prevention of unauthorised passengers;
- xvii. Measures to ensure that passengers are in possession of valid documents prescribed by the State of transit and destination for control purposes; and
- xviii. Any other matter prescribed by the Appropriate Authority, including and not being limited to the escorting of Crew members, other than those holding a valid airport identification card, at all times when in security restricted areas other than:
  - a) Areas where passengers may be present;
  - b) Areas in the immediate proximity of the aircraft on which they have arrived or will depart; and
  - c) Areas designated for crews.
- f. The Aircraft Operator Security Programme shall be in accordance with the requirements prescribed in the National Civil Aviation Security Programme.
- g. The Aircraft Operator Security Programme shall be reviewed and updated and submitted for approval by the Appropriate Authority once a year.

**15. Regulated Agent Security Programme**

- 1. A person and or entity shall not operate an enterprise or an organisation whose purpose is the movement of cargo, mail, baggage or goods by air within or from the State without a registration, Regulated Agent Security Programme approved by the Appropriate Authority and a certificate issued by the Appropriate Authority
- 2. A Regulated Agent Security Programme shall contain-
  - a. Provisions to meet the requirements of the National Civil Aviation Security Programme and these Regulations; and
  - b. Provisions to respond to orders, circulars and directives issued by the Appropriate Authority under regulation and a dedicated aviation security trained and qualified member of staff to ensure their implementation.
  - c. Details of how the regulated agent plans to meet and maintain the requirements set out in the Regulated Agent

- Security Programme;
- d. Procedures for-
    - i. Ensuring appropriate security control of goods;
    - ii. Ensuring the security of buildings, premises, transport facilities and access control;
    - iii. Recruitment and training of staff involved in the implementation of security controls;
    - iv. Incident reporting;
    - v. Any other matter prescribed by the Appropriate Authority.
  3. A Regulated Agent Security Programme shall be set out in the manner prescribed in the National Civil Aviation Security Programme.
  4. The Regulated Agent Security Programme shall be reviewed and updated as the need may arise and at least once a year.

#### **16. Catering Operator Security Programme**

1. A person and or entity shall not operate an enterprise or an organisation whose purpose is the direct provision to commercial air transport of catering supplies and stores within or from the State, without a Catering Operator Security Programme approved by the Appropriate Authority and a certificate issued by the Appropriate Authority.
2. A Catering Operator Security Programme shall contain-
  - a. Provisions to meet the requirements of the National Civil Aviation Security Programme and these Regulations the employment of and or delegation to a trained and qualified member of staff to hold the post holder position of Security Manager.
  - b. Details of how the catering operator intends to comply with, and maintain the requirements set out in the Catering Operator Security programme;
  - c. Procedures for-
    - i. Ensuring appropriate security control of catering supplies;
    - ii. Ensuring the security of buildings, premises and transport facilities;
    - iii. Recruitment and training of staff involved in the implementation of security controls;
    - iv. Reporting of incidents;
  - d. Any other matter prescribed by the Appropriate Authority.
3. A Catering Operator Security programme shall be set out in

the manner prescribed in the National Civil Aviation Security Programme.

4. The Catering Operator Security Programme shall be reviewed and updated as the need may arise and at least once a year.

**17. Application for approval of security programme**

1. Where a security programme is required to be approved by the Appropriate Authority under regulations 13, 14, 15 and 16 of these Regulations, the applicant shall-
  - a. Submit the programme to the Appropriate Authority, ensuring that it meets the requirements of the National Aviation Security Programme, these Regulations and any other relevant law; and
  - b. Pay the fee if prescribed by the Appropriate Authority.
2. A security programme submitted to the Appropriate Authority for approval under this regulation shall be in duplicate and signed by the applicant or on behalf of the applicant.

**18. Approval of security programme**

1. Where the Appropriate Authority is satisfied that a security programme submitted under regulation 17, meets the requirements of these Regulations, the National Civil Aviation Security Programme and any other relevant law, the Appropriate Authority shall, within seven days after receipt of the programme, approve the security programme.
2. Where the Appropriate Authority determines that a security programme submitted under regulation 17 does not meet the requirements of these Regulations, the National Civil Aviation Security Programme or relevant law, the Appropriate Authority shall, within seven days after receipt of the programme, direct the applicant to modify and re-submit the security programme to the Appropriate Authority within seven days after receipt of the programme by the applicant.
3. Where the Appropriate Authority is satisfied that a security programme re-submitted under sub regulation (2) meets the requirements of these Regulations, the National Civil Aviation Security Programme and any other relevant law, the Appropriate Authority shall, within fourteen days, after receipt of the programme, approve the security programme.

**19. Changed conditions affecting security**

1. Where a security programme has been approved under regulation 18, the operator, where applicable, shall comply with the procedure prescribed by subregulation (2), whenever

the operator determines that-

- a. Any description of the area set out in the security programme is no longer accurate;
  - b. Any description of the operations set out in the security programme is no longer accurate, or that the procedures included, and the facilities and equipment described in the security programme are no longer adequate.
2. Whenever a situation described in subregulation (1) occurs, the operator, where applicable shall-
    - a. Immediately notify the Appropriate Authority of the changed conditions, and identify each interim measure being taken to maintain adequate security until approval is granted for an appropriate amendment of the security programme; and
    - b. Within seven days after notifying the Appropriate Authority in accordance with paragraph (a), submit for approval, in accordance with the procedure prescribed by regulation 17, an amendment to the security programme to bring it into compliance with these Regulations.
  3. The Appropriate Authority shall, where an amendment to a security programme is submitted to it under subregulation (2) (b), approve the amendment in accordance with the procedure prescribed by regulation 18.

**20. Power of Appropriate Authority to direct amendment of security programme**

1. Where the Appropriate Authority determines that an operator's security programme requires amendment, the Appropriate Authority may direct the respective operator to amend the security programme and submit it to the Appropriate Authority for approval.
2. The Appropriate Authority shall, where an amended security programme is submitted to it under subregulation (1), approve the security programme in accordance with the procedure prescribed by regulation 18.

*Training & certification programmes*

**21. National Aviation Security Training & Certification Programme**

1. The Appropriate Authority shall develop a National Aviation Security Training and Certification Programme for personnel of all entities involved with or responsible for the implementation of various aspects of the National Civil

Aviation Security Programme.

2. The Appropriate Authority shall co-ordinate the implementation of the National Aviation Security Training Programme developed under subregulation (1).
3. The Appropriate Authority shall notify the entities concerned of the training requirements identified in the National Aviation Security Training Programme for their implementation.
4. Entities wishing to establish Aviation security Training Centers shall comply with the requirements of the National Civil Aviation Security Training Programme, these regulations and shall be holders of ATO certificate issued under Civil Aviation (Approved Training Organization) Regulations.

## **22. Operator Aviation Security Training Programme**

1. Every operator, stakeholder and or partner in the aviation industry shall develop and implement an Aviation Security Training Programme to ensure the effective implementation of their respective security operations; and the training programme shall conform to the requirements of the National Aviation Security Training Programme and these Regulations.
2. The training programme referred to in subregulation (1) shall include-
  - a. An 8 Hours Mandatory awareness training component for all executive and senior management employees involved in the decision making process in effect of budgetary, management and operational wellbeing of the organization.
  - b. Training of appropriate employees, taking into account human factors principles and human performance; and
  - c. Training to acquaint appropriate employees with preventive measures and techniques in relation to passengers, baggage, cargo, mail, equipment, stores and supplies intended for carriage on an aircraft to enable them to contribute to the prevention of acts of sabotage, unlawful seizure of aircraft or other forms of unlawful interference and to minimize the consequences of such events should they occur.
3. The Training Program shall be drawn by the user department (aviation security) as the subject matter experts and handed

over to the training department for administration purposes only. The user department shall at all times be involved in the curriculum development and ensuring that the course contents, delivery and stipulated time per course is adhered to as per the National Civil Aviation Security Training and Certification Program.

4. All training managers, trainers, instructors and or facilitators both in-house and or external shall be certified and approved by the Appropriate Authority.
5. Where training components in the program require external assistance such as the use of contracted training organizations, instructors, trainer and or computer based training-CBT; the said shall be vetted and used ONLY upon approval by the Appropriate Authority. Any existing arrangements prior to the enactment of these regulations stands nullified effective the date of these regulations coming to force.
6. A training programme referred to in subregulation (1) shall be submitted to the Appropriate Authority for approval in accordance with the procedure prescribed in regulations 17 and 18.

## **PART IV –**

## **PREVENTIVE SECURITY MEASURES**

### *Airport Security*

#### **23. Airport Security Committee**

1. Every airport serving civil aviation be it a single international airport therefore, or any other converted to partake the biannual international air show, shall establish an Airport Security Committee for the period of operations.
2. The functions of the Airport Security Committee are -
  - a. To coordinate the implementation and maintenance of security controls and procedures as specified in the Airport Operator's Security programme referred to in regulation 13;
  - b. To oversee the implementation of the decisions or directives of the National Civil Aviation Security Committee;
  - c. To oversee and monitor the Airport Security Programme, including special measures introduced by the airport operator and or airport tenants;
  - d. To draw up, maintain and review from time to time, a list

- of vulnerable points, and of essential equipment and facilities;
- e. To ensure that-
    - i. Basic minimum-security measures and procedures are adequate to meet threats and are under constant review, providing for normal situations and periods of heightened tension and emergency situations;
    - ii. Recommendations that improve security measures and procedures are implemented;
    - iii. Security measures are incorporated in airport expansion or modification programmes;
  - f. To prescribe and co-ordinate security education, awareness and training of airport and other staff and the general public.
3. The Airport Security Committee shall refer to the National Civil Aviation Security Committee, any matter relating to aviation security and which is within its functions under subregulation (2), which cannot be resolved at the airport level.
  4. The Security Manager as the Subject Matter Expert with a direct reporting mandate to the Chief Executive shall be the chairperson of the Airport Security Committee.
  5. The Chairperson shall appoint the other members of the Airport Security Committee.
  6. The Airport Security Committee shall, where possible, consist of members from all agencies engaged in the operation of, or operating in, the airport which contribute to the establishment and implementation of security measures including-
    - a. The Airport Security Manager;
    - b. Director/Head of Security Civil Aviation
    - c. Bahrain Defense Forces;
    - d. Bahrain Airport Police ;
    - e. Bahrain Airport Services
    - f. Immigration;
    - g. Customs
    - h. Intelligence agency ;
    - i. Bahrain Petroleum Company
    - j. Bahrain Duty Free
    - k. Bahrain Airlines Representatives
    - l. Bahrain Postal Services
    - m. Bahrain Air Navigation services provider;

n. Bahrain Fire and rescue services;

7. The Airport Security Committee may invite any person to attend and take part in the proceedings of the Committee and that person may participate in any discussion at the meeting but shall not have a right to vote at that meeting.
8. The Chairperson shall convene every meeting of the Airport Security Committee and the Committee shall meet for the discharge of business at least once in every month to ensure that the security programme is up to date and effective and that its provisions are being properly applied.

#### **24. Airport security controls**

1. The airport operator shall maintain and carry out security measures and procedures at the airport for the purpose of protecting passengers, crew members, aircraft, airport and aviation facilities and preventing acts of unlawful interference and ensuring that appropriate action is taken when an act of unlawful interference occurs or is likely to occur.
2. To comply with the dictates of Sub regulation 1 the airport operator shall-
  - a. Have a fully fledged Security Department with both qualified and trained personnel.
  - b. Resources to undertake any requirements stipulated by the National Civil Aviation Security Program.
  - c. Be licensed and regulated by the Appropriate Authority.
3. The operator shall be responsible for the security of the facilities and equipment being a government assets deployed at the airport and shall-
  - a. Institute and maintain measures to prevent weapons, explosives or any other dangerous device which may be used to commit an act of unlawful interference, the carriage or bearing of which is not authorized, from being introduced, by any means, on board an aircraft engaged in civil aviation;
  - b. In coordination with the current policing arrangements on the ground ensure that –
    - i. Access to airside areas at the airport is controlled in order to prevent unauthorized entry;
    - ii. Security restricted areas are established at the airport, in accordance with regulation 25;
    - iii. Architectural and infrastructure related requirements necessary for the optimum implementation of

- security measures under the National Civil Aviation Security programme are integrated into the design and construction of new facilities and alterations to existing facilities at airports;
- iv. Persons engaged to implement security controls are subject to background checks and selection procedures, are capable of fulfilling their duties and are adequately trained;
  - v. Originating passengers and their cabin baggage are screened before boarding an aircraft engaged in commercial air transport operations;
  - vi. Originating hold baggage is screened before being loaded into an aircraft engaged in commercial air transport operations;
  - vii. All hold baggage to be carried on aircraft engaged in commercial air transport is protected from unauthorised interference from the point it is screened or accepted into the care of the carrier, whichever is earlier, until departure of the aircraft on which it is to be carried; and that where the integrity of hold baggage is jeopardized, the hold baggage is re-screened before being placed on board an aircraft;
  - viii. Commercial air transport operators do not transport the baggage of passengers who are not on board the aircraft unless that baggage is identified as unaccompanied and subjected to additional screening subsequent to it being established as unidentified;
  - ix. Transfer hold baggage is screened before being loaded into an aircraft engaged in commercial air transport operations, unless the airport operator has established a validation process and continuously implements procedures, in collaboration with the other ICAO Contracting States appropriate, to ensure that such hold baggage has been screened at the point of origin and subsequently protected from unauthorised interference from the originating airport to the departing aircraft at the transfer airport;
  - x. Commercial air transport operators only transport items of hold baggage which have been individually identified as accompanied or unaccompanied, screened to the appropriate standard and accepted for carriage on that flight by the air carrier and that

- all such baggage is recorded as meeting these criteria and is authorised for carriage on that flight;
- xi. Transfer and transit passengers and their cabin baggage are subjected to adequate security controls to prevent unauthorised articles from being taken on board aircraft engaged in civil aviation;
  - xii. There is no possibility of mixing or contact between passengers subjected to security control and other persons not subjected to such control after the security screening points at airports serving civil aviation have been passed; and that where mixing or contact does take place, the passengers concerned and their cabin baggage are rescreened before boarding an aircraft;
  - xiii. The persons carrying out security controls are certified according to the requirements of the National Civil Aviation Security Programme;
  - xiv. Luggage or personal belongings left unattended at an airport are subjected to appropriate security controls and disposal procedures;
  - xv. Where practicable, in order to improve efficiency, modern screening or examination techniques shall be used to facilitate the physical examination of goods to be imported or exported.
- c. Establish-
- i. Storage areas where mishandled baggage may be held after screening until forwarded, claimed or disposed of;
  - ii. Bomb disposal areas where detected explosives may be disposed of;
  - iii. Person and vehicle identification systems;
  - iv. Institute and implement adequate security controls, including background checks on persons other than passengers granted unescorted access to security restricted areas of the airport;
  - v. Provide adequate supervision over the movement of persons and vehicles to and from the aircraft in order to prevent unauthorised access to aircraft;
  - vi. Make investigation and disposal, if necessary, of suspected sabotage devices or other potential hazards at the airport;
  - vii. Employ and deploy suitably trained personnel to assist in dealing with suspected or actual cases of unlawful interference with civil aviation;
  - viii. Conduct full scale contingency exercise that

incorporates security scenarios at least once in every two years;

- ix. Conduct a table top contingency exercise at least once a year.
- x. Establish rules for escorts, where an escort shall:
  - a) Undergo testing to hold a valid identification card and,
  - b) Be authorised to escort in security restricted areas;
  - c) Have the escorted person or persons in direct line of sight at all times; and
  - d) Reasonably ensure that no security breach is committed by the person or persons being escorted.

**25. Security restricted areas and airport security permits**

1. The Appropriate Authority, in conjunction with the airport operator and other responsible persons concerned, shall identify areas where, based on a security risk assessment carried out by the Appropriate Authority, operations vital to the continued safe operation of civil aviation in the State are carried out, and designate those areas as security restricted areas.
2. Any area designated as a security restricted area shall
  - a. Be marked and protected through physical or personnel protective measures or through a combination of physical and personnel protective measures to prevent unauthorised access to it;
  - b. Be separated from public or non-security restricted areas by an appropriate physical barrier; and
  - c. Be inspected at regular intervals.
3. Authorized access to a security restricted area at the airport and designated off-airport facilities serving commercial air transport operations shall be controlled through the issuance of airport security permits.
4. A person issued with an airport security permit under this regulation shall, while on duty, at all times properly display the security permit.
5. Bahrain Airport Police as the designated authorities responsible for controlling access to security restricted areas shall specify the recognized places of entry through the security restricted area barrier(s) and ensure that the area has adequate physical protection, of at least the same quality as

the barrier itself, or is enough to prevent unauthorized access.

6. All areas at an airport to which access is restricted shall bear signage indicating the type of restriction and penalty for non-compliance.
7. The airport operator shall keep, at the airport, a current scale map of the airport identifying security restricted areas, security barriers and security restricted area access points.

**26. Airport boundary**

The airport operator shall ensure that-

- a. The airport has a conspicuous physical barrier or means of indicating the airport boundary with posted signs bearing a warning to prevent incursions and trespassing.
- b. Measures are in place to ensure continuous protection and monitoring of the integrity of the perimeter to prevent incursions and trespassing.

**27. Carriage of firearms, explosives or inflammable materials in airport premises**

1. Except for law enforcement officers on duty and authorised royal escort, no person shall carry or possess, in the airport premises, firearms, explosives or inflammable materials or weapons, unless authorised by the Appropriate Authority BCAA in collaboration with the Ministry of Interior as concerned with the issuance and control of such, in writing.
2. The airport operator in collaboration with the Airport Police and Law Enforcement Agencies shall ensure that no unauthorised person carries firearms, explosives or inflammable materials within the airport premises.

**28. Control of access by tenants**

1. The airport operator shall ensure that tenants whose premises or facilities form part of the landside or airside boundary through which access can be gained to the airside are responsible for control of access through their premises, and shall carry on business in compliance with the Airport Operator Security Programme.
2. In subregulation (1), "tenants" means-
  - a. Individuals or businesses granted a license or other permit by the airport operator to conduct business operations at the airport, including concessionaires, cargo handlers, caterers, tour operators, taxi and bus operators, porters, aircraft maintenance organisations and fuel companies; and
  - b. Government authorities and agencies at the airport,

including customs, immigration, health, agriculture and meteorology etc.

**29. Obligation of the airport operator in case of threat against facility or airport**

Where an airport operator is made aware of a threat against his or her facility or any part of the airport under the control of a person carrying on any activity at the airport other than the airport operator, the airport operator shall immediately-

- a. Notify the Appropriate Authority and other entities concerned with the nature of the threat; and
- b. Determine whether the threat affects the security of the airport and coordinate the implementation of appropriate measures to counter any threat.

**30. Persons authorised to screen to inform airport operator of threat against airport**

Where a person authorised to conduct any screening activity at the airport is made aware of a threat against the airport, that person shall-

- a. Immediately notify the airport operator of the nature of the threat; and
- b. Assist the airport operator in determining whether the threat affects the security of the airport.

**31. Airport operator to take measures in event of threat**

1. Where the airport operator determines that there is a threat that affects the security of the airport, the airport operator shall immediately take all measures necessary to ensure the safety of the airport and persons at the airport, including informing the relevant parties of the nature of the threat.
2. The airport operator shall immediately inform the Appropriate Authority of the receipt of a bomb threat against an airport and its facilities, or an aircraft.

**32. Discovery of weapons, incendiary devices or explosives at airport**

The airport operator shall immediately notify the Appropriate Authority when there is-

1. Discovery, at the airport, of a weapon other than a firearm allowed under regulation 27;
2. Discovery, at the airport, of an explosive substance or an incendiary
3. device, other than an explosive substance or incendiary device allowed under regulation 27; or
4. An explosion at the airport, unless the explosion is known to be the result of an excavation, a demolition, construction or the use of fireworks displays.

**33. Airport operator to submit plans before**

1. Notwithstanding regulation 24 (3), the airport operator shall, before the implementation of any renovation, remodeling or

**renovation and expansion works**

expansion works at the airport, or the construction of new or additional airport facilities, submit to the Appropriate Authority for its approval, the plans for the renovation and expansion works.

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

***Records***

**34. Operators to keep records**

1. Every operator shall keep a record of every security incident occurring in the course of their operations.
2. The record(s) required to be kept under subregulation (1), shall-
  - a. Be kept for a minimum of ninety days;
  - b. Be submitted to the Appropriate Authority within seven days after the occurrence of the incident; and
  - c. Where relevant, include-
    - i. The number and type of weapons and incendiary devices discovered during any passenger screening process and the method of detection of each;
    - ii. The number of acts and attempted acts of unlawful interference;
    - iii. The number of bomb threats received, real and simulated bombs found and actual bombings or explosions at the airport; and
    - iv. The number of detentions and arrests and the immediate disposition of each person detained or arrested.

***Aircraft Security***

**35. Responsibilities of aircraft operators**

1. An aircraft operator providing service from the State shall not-
  - a. Transport the baggage of a passenger who is not on board the aircraft unless that baggage is subjected to appropriate security controls, including screening, after determining that the person is not on board;
  - b. Accept consignments of cargo, courier and express parcels or mail for carriage on passenger flights, unless the security of the consignments is accounted for by a regulated agent, or the consignments are subjected to security controls to meet the appropriate security

- requirements.
- c. Undertake any rush tagging without the express authority of the Airport Operator, who shall in turn require the same from the Appropriate Authority.
  - d. The Subregulation 1) c) does not in any way affect any oversize luggage confiscated from passenger in light of their wanting to store it as hand luggage in the overhead hand baggage hold.
  - e. Undertake or perform any tail to tail baggage transfer. No authorization of tail to tail baggage transfer shall be permitted whatsoever.
2. An aircraft operator providing service in or from the State shall-
- a. Have full responsibility of their aircraft, hence must ensure that all measures being employed thereof at any airport are to their satisfaction and in compliance with the National Civil Aviation Security Program.
  - b. Bring to the attention of the Appropriate Authority any anomalies noted within the security management system.
  - c. Ensure that aircraft security checks are conducted by assigned crew regardless of turnaround times and service orientation. It is illegal to compromise the security of the aircraft and would be passengers at the expense of service and turnaround time optimization.
  - d. Carry out and maintain, at an airport, on an aircraft and at any aviation facility under the control of the operator, security measures prescribed in the National Civil Aviation Security Programme and the Airport Security Programme;
  - e. Ensure that-
    - i. All its appropriate personnel are familiar with, and comply with the requirements of the National Civil Aviation Security Programme;
    - ii. Necessary precautions are taken at the point of embarkation to ensure that passengers are in possession of valid documents prescribed by the State transit and destination for control purposes..
    - iii. All its aircraft carry a checklist of the procedures to be complied with for that type of aircraft in searching for concealed weapons, explosives or other dangerous devices.
    - iv. Oversize baggage above 56 cm in height, 45 cm in width and 25 cm in depth is not checked in as hand luggage in any of their aircraft and that explicit

instructions are given to all cabin crew and or check in agents to ensure compliance.

- v. In compliance to sub regulation 2 a) on responsibility for the security of his or her aircraft; all measures are employed including and not being limited to the deployment of secondary measures at any airport.
- vi. Persons engaged to implement security controls are subject to background checks and selection procedures, are capable of fulfilling their duties and are adequately trained; and
- vii. Institute and implement adequate security controls, including background checks on persons other than passengers granted unescorted access to security restricted areas of the airport.
- viii. Ensure that each aircraft is equipped with necessary security checklists, which shall as a mandatory be authenticated by the PIC upon completion of the checks, prior to boarding of passengers and or commencement of any flight.

**36. Special protection for aircraft**

1. An aircraft operator may, notwithstanding regulation 35(2) a), request for special protection of an aircraft from an airport operator or policing authority in the State.
2. Where special protection is offered to an aircraft operator under sub regulation (1), the protection shall be on terms and conditions determined by the airport operator.

**37. Control of prohibited items**

1. No person shall, subject to regulation 25, possess or have with him or herself a prohibited item while –
  - a. In an airport or its security restricted area;
  - b. On board an aircraft; or
  - c. In an air navigation installation.
2. The prohibited items referred to in subregulation (1) include-
  - a. Firearms or articles appearing to be firearms, whether or not they can be discharged;
  - b. Chemical or biological agents adapted, or capable of being used for
  - c. causing injury to or incapacitating persons or damaging or destroying property;
  - d. Explosives;
  - e. Articles manufactured or adapted to have the appearance of explosives,
  - f. Whether in the form of a bomb, grenade or otherwise;

- g. Articles made or adapted for causing injury to or incapacitating persons or damaging or destroying property; and
- h. Any other dangerous article or substance or other item prescribed by the Appropriate Authority from time to time.

**38. Control of access to flight crew compartment**

1. An aircraft operator engaged in commercial air transport shall-
  - a. Where an aircraft is equipped with a flight crew compartment door, ensure that the door is lockable from the flight crew compartment only and remains locked during flight, except to permit access and exit by authorised persons; and
  - b. Where an aircraft is not equipped with a flight crew compartment door, ensure the implementation of measures as appropriate to prevent unauthorised persons from entering the flight crew compartment during flight.

**39. Control of special categories of passengers**

1. Law enforcement officers shall inform the aircraft operator and the pilot in command when passengers are obliged to travel because they have been the subject of judicial or administrative proceedings, in order that appropriate security controls can be applied.
2. The aircraft operator shall inform the pilot in command of the number of armed or unarmed escort persons, the individuals whom they are escorting and their seat locations in the aircraft.

**40. Authorised carriage of weapons on board aircraft**

1. The carriage of weapons on board aircraft by law enforcement officers and other authorised persons, acting in the performance of their duties, shall be in accordance with the laws of the State.
2. Subject to subregulation (3), the Appropriate Authority may-
  - a. Approve, in writing, the carriage of weapons on board aircraft by law enforcement officers and other authorised persons acting in the performance of their duties;
  - b. Consider requests by any other State to allow the travel of armed personnel on board aircraft of the requesting State, except that the Appropriate Authority shall not allow the travel of armed personnel under this regulation unless there is an agreement between both the States on such travel.

3. Notwithstanding subregulation (2), an aircraft operator may allow or refuse the carriage of weapons on board an aircraft in accordance with conditions issued by the Appropriate Authority.
4. Where an aircraft operator accepts the carriage of weapons removed from passengers, the aircraft shall have provision for stowing the weapons so that they are inaccessible to passengers during flight time and, in the case of a firearm, to ensure that it is not loaded.
5. Where the State decides to deploy in-flight security officers-
  - a. The officers shall be government personnel who are especially selected and trained, taking into account the safety and security aspects on board an aircraft; and
  - b. The officers shall be deployed according to the threat assessment of the Appropriate Authority.
6. The deployment under subregulation (5) shall be done in be co-ordination with concerned States and shall be kept strictly confidential.

### *Regulated Agents*

#### **41. Conditions for acceptance of goods for air transportation**

1. A regulated agent shall, before accepting goods for transport in an aircraft-
  - a. Establish and register the name and address of the consignor;
  - b. Establish the credentials of the person who delivers the goods as an agent of the consignor;
  - c. Ensure, on the basis of appropriate security controls or security screening, that such goods do not contain any prohibited items;
  - d. Ensure the safeguarding of such goods from unauthorised interference after acceptance;
  - e. Ensure the goods are received by staff who are properly recruited and trained;
  - f. Designate a person to implement and supervise the screening process;
  - g. Ensure that the following categories of goods are not carried by air unless they have been subjected to screening-
    - i. Unaccompanied baggage;
    - ii. Goods from unknown consignors;
    - iii. Goods for which the contents do not coincide with

- the description
  - iv. delivered; and
  - v. Ensure that each shipment of goods is accompanied by documentation providing the statement the security status of the shipment.
2. A regulated agent who offers goods to an aircraft operator for transport by aircraft shall produce and make available to the aircraft operator, and the Appropriate Authority on demand, shipping documents, records of goods accepted and offered for air transport, employee training records and airway bills.
  3. A regulated agent shall make available to the Appropriate Authority, a report of any incident where a shipping document did not provide an accurate record of the goods being offered for air transport.
  4. All cargo and mail intended for carriage on passenger commercial flights shall be subjected to appropriate security controls by aircraft operators and regulated agents before being placed on board an aircraft.

**42. Conditions for acceptance of baggage, goods, COMAT and COMAIL for air transportation**

For the purpose of protecting passengers, crew members, aircraft and airports and preventing acts of unlawful interference with civil aviation, every regulated agent shall establish measures to ensure that –

- a. Only screened baggage is loaded into aircraft engaged in civil aviation;
- b. All hold baggage to be carried on commercial aircraft is protected from unauthorised interference from the point it is screened or accepted into the care of the carrier, whichever is earlier, until departure of the aircraft on which it is to be carried; and that if there are grounds to suspect that the integrity of hold baggage may be jeopardised, the hold baggage is re-screened before being placed on board an aircraft;
- c. Persons engaged to implement security controls are subject to background checks and selection procedures, are capable of fulfilling their duties and are adequately trained; and
- d. The regulated agent institutes and implements adequate security controls, including background checks on persons other than passengers granted unescorted access to security restricted areas.
- e. COMAT and COMAIL are subjected to appropriate

security controls prior to placement on board an aircraft engaged in passenger commercial flights.

**43. Security measures to be taken by aircraft operators**

1. The aircraft operator is responsible for ensuring that appropriate security controls have been carried out, and in so doing, the aircraft operator shall-
  - a. Carry out appropriate security controls to be applied to any given consignment and or supplies, to the required level;
  - b. Protect the consignment from unlawful interference while it is in the custody of the aircraft operator
  - c. Ensure that all consignments have been secured to an appropriate level before being placed in the aircraft; and
  - d. Ensure that all consignments placed on board the aircraft are recorded on the aircraft manifest.
2. The aircraft operator may delegate any of the functions under subregulation (1) to a regulated agent.
3. For the avoidance of doubt, notwithstanding the delegation of any functions to a regulated agent under subregulation (2), the aircraft operator shall remain responsible for ensuring that the appropriate security controls have been carried out.
4. The aircraft operator or the regulated agent shall ensure that all consignments due to be loaded into an aircraft are -
  - a. Delivered by an established employee of a handling agent;
  - b. Covered by valid documentation that has been checked for inconsistencies and fully describes the contents;
  - c. Covered by a valid consignment security declaration;
  - d. Checked to establish that there is no evidence of having been tampered with;
  - e. In the case of Catering Supplies, provided using branded meal carts sealed and or tagged with tamper evident tags and or seals supplied by the air operator.
  - f. Kept secure until delivered into the aircraft operator's charge; or
  - g. Subjected to the appropriate level of security screening.
5. An aircraft operator shall make available to the Appropriate Authority, a report of any incident where an airway bill or equivalent document did not provide an accurate record of the goods being offered for air transport.

6. An aircraft operator shall require a regulated agent operator to comply with the ICAO Technical Instructions for the Safe Transportation of Dangerous Goods by Air, Doc. 9284.
7. Appropriate security controls referred to in this regulation shall be as prescribed by the Appropriate Authority.

### *Catering Operators*

#### **44. Aviation security responsibilities of catering operator**

1. Any person and or entity undertaking catering for aviation shall have a qualified person employed as a post holder and or the subject matter expert to undertake the implementation and enforcement of the National Civil Aviation Security Program.
2. Any person and or entity undertaking catering for aviation shall be licensed and approved by the Appropriate Authority,
3. A catering operator shall have a section within management to undertake the management of all security issues.
4. A catering operator shall have a written catering security program conforming to the National Civil Aviation Security Program and these regulations.
5. A catering operator shall have a Health, Safety and Environmental Management Policy And system complementing the Security Program to ensure that amongst other requirements-
  - a. All persons working as food handlers are medically fit and tested for health oriented security risks every six months.
  - b. All persons under their employment are trained in Health and Safety-Good housekeeping, where every tool or equipment has its place, in addition to catering security awareness training.
  - c. Daily records of tools and equipment such as cutlery and meat preparing implements are accounted for at every shift change.
6. A catering operator shall, before accepting supplies and equipment for preparation as catering supplies for transport in an aircraft-
  - a. Establish and register the name and address of the supplier of the supplies and equipment;
  - b. Establish the credentials of the person who delivers the

- supplies and equipment as an agent of the supplier of the supplies and equipment;
- c. Ensure, on the basis of appropriate security controls or security screening, that the supplies and equipment do not contain any prohibited items.
  - d. Ensure the Mandatory requirement to be captured in all catering contracts all air operators supply branded meal carts and tamper evident security tags and or seals for their respective supplies.
  - e. Ensure that all such security items as detailed in 6 d) are accounted for and kept under lock and key.
  - f. Ensure the safeguarding of the supplies and equipment from unauthorised interference after acceptance;
  - g. Ensure the availability of security controls to track all movements within food preparation, sorting and loading areas by use of CCTV and other situational and environmental design tools. Where such already exists additional requirements stipulated by the Appropriate Authority shall be installed and manned 24 hours a day 365 days a year, where the Appropriate Authority and government security agents namely Airport Police and the National Security Agency shall check and verify the same every three months without need to inform the catering operator.
  - h. Ensure the supplies and equipment are received by staff who are properly recruited and trained by the operator;
  - i. Designate a person or people under the direction of the post holder for security to implement and supervise the screening process;
  - j. Ensure that catering stores and supplies are not carried by air unless they have been subjected to screening;
  - k. Ensure that each shipment of catering stores and supplies is accompanied by documentation providing the statement of the security status of the shipment;
  - l. Ensure that persons engaged to implement security controls are subject to background checks and selection procedures, are capable of fulfilling their duties and are adequately trained;
  - m. Institute and implement adequate security controls, including background checks on persons other than passengers granted unescorted access to security restricted areas of the airport.
  - n. A catering operator who offers catering stores and supplies to an aircraft operator for transport by aircraft shall produce and make available to the aircraft operator,

and the Appropriate Authority on demand, shipping documents, records of supplies and equipment accepted and catering stores and supplies offered for air transport, employee training records and other accountable catering documents.

**45. Conditions for acceptance of catering stores and supplies for air transportation**

1. An aircraft operator shall accept catering stores and supplies for transport on an aircraft only from a licensed and appropriate authority approved catering operator.
2. An aircraft operator shall, before accepting catering stores and supplies for transport on an aircraft, ensure-
  - a. That the catering stores and supplies have been subjected to screening;
  - b. The safeguarding of the catering supplies and stores against unlawful interference until the catering supplies and stores have been placed in the aircraft;
  - c. That the shipments of catering supplies and stores are recorded; and
  - d. That whenever the catering supplies and stores are received, those catering supplies and stores are delivered by an authorised employee of the catering operator in their operator supplied meal cart and sealed with their recognized seal or tamper evident tag.
3. An aircraft operator shall not accept any catering supplies and stores for transport by aircraft unless the documentation for those catering supplies and stores is examined for inconsistencies and is accompanied by a valid security declaration.
4. An aircraft operator shall require a catering operator to comply with the ICAO Technical Instructions for the Safe Transportation of Dangerous Goods by Air, Doc. 9284.
5. An aircraft operator shall make available to the Appropriate Authority, a report of any incident where a catering or equivalent document did not provide an accurate record of the catering supplies and stores being offered for air transport.
6. An aircraft operator shall preserve, for not less than one year, a record of acceptance checklists and inspections carried out under this Part.

**PART V –**

**MANAGEMENT OF RESPONSE TO ACTS OF UNLAWFUL INTERFERENCE**

**46. Prevention of acts of unlawful interference**

1. The Appropriate Authority shall take adequate measures, when reliable information exists that an aircraft may be subjected to an act of unlawful interference-
  - a. If the aircraft is on the ground, to safeguard the aircraft and ensure that the aircraft is searched for concealed weapons, explosives or other dangerous devices, articles or substances; and prior notification of the search shall be provided to the operator concerned;
  - b. If the aircraft is in flight, to provide as much prior notification as possible of the arrival of that aircraft to relevant airport authorities and air traffic services of the States and aircraft and airport operators concerned;
2. The Appropriate Authority shall ensure that arrangements are made to investigate, render safe or dispose of, if necessary, suspected dangerous devices or other potential hazards at airports.
3. The Appropriate Authority shall ensure that authorised and suitably trained personnel are readily available for deployment at every airport serving civil aviation to assist in dealing with suspected or actual cases of unlawful interference.

**47. Appropriate Authority's response to acts of unlawful interference**

- The Appropriate Authority shall-
- a. Take adequate measures for the safety of passengers and crew of an aircraft which is subjected to an act of unlawful interference while on the ground until their journey can be continued;
  - b. Collect all pertinent information on the flight which is the subject of an act of unlawful interference and transmit that information to all other States responsible or the Air Traffic Services units concerned, including those at the airport of known or presumed destination, so that timely and appropriate safeguarding action may be taken en-route and at the aircraft's known, likely or possible destination;
  - c. Provide such assistance to an aircraft subjected to an act of unlawful seizure, including the provision of navigation aids, air traffic services and permission to land as may be necessitated by the circumstances;
  - d. Notify the State of registry of an aircraft and the State of the operator of the landing aircraft subjected to an act of unlawful

interference, and shall similarly transmit, by the most expeditious means, all other relevant information to-

- i. The State of registry and the State Bahrain of the operator;
- ii. Each State whose citizens suffered fatalities or injuries;
- iii. Each State whose citizens were detained as hostages;
- iv. Each State whose citizens are known to be on board the aircraft; and
- v. The International Civil Aviation Organisation.

**48. Mandatory and Confidential reporting**

1. Every operator shall, where an act of unlawful interference occurs, immediately notify the Appropriate Authority.
2. Every aircraft operator, pilot in command, airport operator or air navigation service provider shall in confidence submit to the Appropriate Authority-
  - a. A preliminary written report, within seven days after the occurrence of an act of unlawful interference, including sabotage, threats, hijacks, incidents and disruptive passengers; and
  - b. A final written report, upon completion of investigations, but within fourteen days after the occurrence of an act of unlawful interference, including sabotage, threats, hijacks, incidents and disruptive passengers.

**49. Notification to the International Civil Aviation Organisation**

1. The Appropriate Authority shall, where an act of unlawful interference has occurred, provide the International Civil Aviation Organisation with a report on each incident, whether successful or unsuccessful as follows-
  - a. A preliminary report, within seven days after the occurrence of the act, containing all pertinent information concerning the security aspects of the occurrence; and
  - b. A final report, within sixty days after completion of investigations.
2. The Appropriate Authority shall provide copies of reports submitted to the International Civil Aviation Organisation under this regulation to other States which may have an interest.

**PART VI -**

**OFFENCES AND PENALTIES**

**50. Offences committed at an airport**

1. Any person who commits, at an airport or its related facilities, any of the following acts commits an offence-
  - a. Assault, intimidation or threat, whether physical or verbal,

against an aviation security officer or authorised person if the act interferes with the performance of the duties of the aviation security officer or authorised person or lessens the ability of the aviation security officer or authorised person to perform those duties;

- b. Refuses to follow a lawful instruction given by the airport operator or on behalf of the Appropriate Authority by an aviation security officer or authorised person for the purpose of ensuring the safety at the airport or of any person or property at the airport or for the purpose of maintaining good order and discipline at the airport;
  - c. An act of physical violence against an aviation security officer or authorised person on duty;
  - d. Intentionally causing damage to, or destruction of, property.
2. A person who commits an offence under subregulation (1) is liable, on conviction, to a fine not exceeding 5000 Bahrain Dinars or to imprisonment not exceeding 6 months or both.
  3. An airport operator who fails to notify the Appropriate Authority or other party concerned of a threat under regulation 29 commits an offence and is liable, on conviction, to a fine not Exceeding 10000 Bahrain Dinars or to imprisonment for a term not exceeding 3 months or both.

**51. Offences committed against crew on board aircraft**

1. Any person who commits on board a civil aircraft any of the following acts commits an offence-
  - a. Assault, intimidation or threat, whether physical or verbal, against a crew member if the act interferes with the performance of the duties of the crew member or lessens the ability of the crew member to perform his or her duties;
  - b. Refuses to follow a lawful instruction given by the aircraft commander or on behalf of the aircraft commander by a crew member, for the purpose of ensuring the safety of the aircraft or of any person or property on board or for the purpose of maintaining good order and discipline on board.
2. A person who commits an offence under this regulation is liable, on conviction, to a fine not exceeding 5000 or to imprisonment not exceeding 1 year, or both.

**52. Offences jeopardising good order and discipline on board aircraft**

1. A person who commits on board an aircraft an act of physical violence against a person or any other act constituting an offence under the laws of the State commits an offence.
2. Any person who commits on board an aircraft any of the following acts commits an offence if that act is likely to endanger the safety of the aircraft or of any person on board or if such an act jeopardises the good order and discipline on board the aircraft-
  - a. Assault, intimidation or threat, whether physical or verbal, against another person;
  - b. Intentionally causing damage to, or destruction of, property;
  - c. Consuming alcoholic beverages or drugs resulting in intoxication, unruly or disruptive behavior to the peace and safety of the flight.
  - d. Sexually harasses a Crew Member or a passenger.
3. A person who commits an offence under this regulation is liable, on conviction, to a fine not exceeding 10000 Bahrain Dinars or to imprisonment not exceeding 36 Months or both.

**53. Other offences committed on board aircraft**

1. A person who commits on board an aircraft, any of the following acts, commits an offence
  - a. Smoking in a lavatory, or elsewhere in an aircraft;
  - b. Tampering with a smoke detector or any other safety-related device on board the aircraft;
  - c. Operating a portable electronic device when such act is prohibited.
2. A person who commits an offence under this regulation is liable, a fine not exceeding 10,000 Bahrain Dinars on conviction and or imprisonment not exceeding 24 Months or both.

**54. Possession of prohibited items**

A person who is in unlawful possession of a prohibited item at an airport, in a security restricted area, on board an aircraft or at an airport navigation installation or has with him or her a prohibited item contrary to regulation 37 commits an offence and is liable, on conviction, to a fine not exceeding 5000 Bahrain Dinars or to imprisonment for a term not exceeding 12 months or both.

**55. Entering security restricted areas**

A person who, without lawful Appropriate Authority, enters a security restricted area commits an offence and is liable, on conviction, to a fine not exceeding 1000 Bahrain Dinars or to

imprisonment not exceeding 6 months or both.

**56. Offences relating to airport security permits/passes**

1. A person who uses who uses his or her office to influence the issuance of an airport permit or pass to any person who is not entitled to such pass regardless of their status in society commits an offence.
2. A person commits an offence who –
  - a. For the purpose of, or in connection with, an application for the issue of an airport security permit; or
  - b. In connection with continuing to hold an existing airport security permit, makes a statement which he or she knows to be false in a material particular or recklessly makes a statement which is false in a material particular.
3. A person who uses an airport security permit to gain access to an aircraft, an area of an airport or an air navigation installation when he or she is not entitled to such access commits an offence.
4. A person who uses a false or unauthorised airport security permit for the purpose of gaining access to a security restricted zone or to an air navigation installation commits an offence.
5. A person commits an offence who-
  - a. Fails to comply with any conditions applying to an airport security permit;
  - b. Fails to display an airport security permit upon being required to do so by an Aviation Security Officer;
  - c. Fails to return an airport security permit promptly following its expiry or upon his or her becoming no longer authorised to possess it; or
  - d. Continues using an airport security permit after it has expired; or uses a valid permit after he or she is no longer authorised to possess it.
6. A holder of a security permit who transfers, lends, gives or sells his or her permit to another person with the intention of enabling that other person to gain access to an aircraft, a security restricted or an air navigation installation when he or she is not authorised to gain such access, commits an offence.
7. A person who, being a person authorised by the Appropriate Authority to issue security permits, issues a security permit to

a person who is not authorised to be issued with such a permit, with the intention of enabling that other person to gain access to an aircraft, a security restricted or an air navigation installation commits an offence.

8. A person who commits an offence under this regulation is liable, on conviction, to imprisonment as deemed fit by the State Judicial system in cases of abuse of office, abuse of trust and abating acts of unlawful interference.

**57. Failure to establish and maintain security programmes**

A person who operates without a security programme referred to in regulations **13, 14, 15, 16,22 and 44**, or who fails to implement a security programme, or a training programme commits an offence and is liable, on conviction, withdrawal of license to operate or a fine not exceeding 50000 Bahrain Dinars both.

**58. Obstructing authorised persons**

1. A person commits an offence who –
  - a. Intentionally obstructs a person acting under a power conferred by these Regulations;
  - b. Falsely pretends to be a person acting under a power conferred by these Regulations; or
  - c. Refuses to obey any order or a reasonable request of a police officer or an aviation security officer, acting in the execution of his or her duty.
2. A person who commits an offence under subregulation (1) is liable, on conviction, to a fine not exceeding 5000 Dinars or imprisonment not exceeding 12 months, or both.

**59. Offences by corporate bodies/ entities**

Where an offence under these Regulations is committed by a body corporate and is proved to have been committed with the consent or connivance of, or is attributable to any neglect on the part of-

- a. Any director, manager, secretary or similar officer of the body corporate; or
- b. Any person who was purporting to act in any such capacity, that person, as well as the body corporate, commits the offence and is liable to be proceeded against and punished accordingly as deemed fit by the State judicial systems on matters of professional negligence, acts of omission and commission.

**60. Jurisdiction**

1. The State shall have jurisdiction over any act constituting an offence under regulation 37 if the act took place on board-
  - a. Any aircraft registered in the State;

- b. Any aircraft leased with or without crew to a lessee whose principal place of business is in the State or, if the lessee does not have a principal place of business, whose permanent residence is in the State;
  - c. Any aircraft on or over the territory of the State; or
  - d. Any other aircraft in flight outside the State, if the next landing of the aircraft is in the State, and the pilot in command has-
  - e. Delivered the suspected offender to the competent authorities in accordance with regulation 63(3);
  - f. Requested the State to prosecute the suspected offender; and
  - g. Affirmed that no similar request has been or will be made by the pilot in command or the aircraft operator to any other contracting State.
2. For the purposes of this regulation, an aircraft is deemed to be “in flight” at any time from the moment when all its external doors are closed following embarkation until the moment when any such door is opened for disembarkation; and in the case of forced landing, the flight shall be deemed to continue until the competent authorities take over the responsibility for the aircraft and for persons and property on board.

## **PART VII –**

## **ENFORCEMENT OF REGULATIONS**

### **61. Unidentified baggage**

Where a police officer or an aviation security officer has reasonable cause to suspect that an item of baggage or any other object may constitute a security risk, whether because it is unidentified, unattended or for any other reason, that officer may, after subjecting the baggage to security controls, including investigation and evaluation to ascertain explosives, remove the item of baggage or object and destroy it.

### **62. Power to stop passengers travelling**

Where a police officer or an aviation security officer has reasonable cause to suspect that a person-

1. Is about to embark on an aircraft in the State; or
2. Is on board an aircraft in the State and that that person intends to commit an offence that amounts to an act of unlawful interference, the police officer may,, with the approval of the police officer in charge at the airport or in case of an aviation security officer, with the approval of the officer in charge of the airport, prohibit that person from travelling on board the aircraft by-

- a. Preventing him or her from embarking on the aircraft;
- b. Removing him or her from the aircraft; or
- c. In case of aviation security officer, arresting him or her without warrant and immediately handing him or her to police for appropriate action.

**63. Powers and responsibilities of pilot in command**

1. The pilot in command shall, while the aircraft is in flight, have the power and responsibility to-
  - a. Protect the safety of persons and property on board;
  - b. Restrain persons on board who may be a threat to safety;
  - c. Disembark persons who may be a threat to safety;
  - d. Search persons and baggage on an aircraft and take possession of items which could be used in connection with any act of unlawful interference;
  - e. Notify authorities of the State as soon as practicable and, before landing, in the territory of the State;
  - f. Provide the authorities of the State with evidence and information regarding the incident that necessitated the restraint and or disembarkation of a passenger.
2. In case of severe threat to safety by a disruptive passenger on board, the pilot in command shall have the mandate to land at the nearest suitable airport and disembark the passenger in consultation with the local authorities.
3. The police or person in charge of the airport shall accept delivery of persons disembarked in accordance with sub regulation (2) for appropriate action.

**64. Powers of Aviation Security Officers**

- An Aviation Security Officer shall have power to-
- a. Screen goods, persons and their personal effects, hold baggage, carryon baggage and vehicles;
  - b. Prevent unauthorised persons from accessing a security restricted area;
  - c. Prevent unauthorised persons from accessing aircraft; and
  - d. Call for the arrest of any person who commits or attempts to commit an offence or an act of unlawful interference in accordance with Regulation 62(2) c) of these Regulations.

**65. Power to exempt**

1. The Appropriate Authority may exempt any person to whom these Regulations apply from the application of these Regulations or any provision of these Regulations, except that the exemption shall not violate the Standards prescribed by the International Civil Aviation Organisation.

2. The Appropriate Authority may exempt any airport or category of airports to which these Regulations apply from the application of these Regulations or any provision of these Regulations, and may impose conditions for such exemptions.
3. An exemption granted under subregulation (1) or (2) shall be notified in the Gazette within fourteen days after it is granted.

**66. Power to enforce compliance**

1. The Appropriate Authority or officers of the Civil Aviation shall have the power to enforce compliance as per the Ministry of Justice decree endowing quasi-judicial powers for the purposes of enforcing Civil Aviation Regulations and may, for purposes of ensuring the implementation of the National Aviation Security Quality Control Programme, or the requirements of the National Civil Aviation Security Programme, or any other operator security programme, or requirements set out under these Regulations, and without prejudice to the provisions of Part VII, of these Regulations, adopt procedures for aviation security monitoring and enforcement approved by the National Aviation Security Committee.
2. The procedures referred to in subregulation (1) shall establish enforcement to ensure rectification of any matter, including but not limited to the following-
  - a. Failure to comply with any order, circular or directive issued under these Regulations;
  - b. Failure to comply with any requirement set out under the National Civil Aviation Security Programme or the respective operator security programme;
  - c. Failure to comply with an oversight recommendation made by the Appropriate Authority;
  - d. Failure to take into account unique or exceptional circumstances which, although not expressly provided under the National Civil Aviation Security Programme, or the respective operator security programme but may expose an airport, aircraft or catering facility to risk.
    - i. The Appropriate Authority or any authorised person may, without limiting the generality of this regulation, issue infringement notices set out in Part VIII of these Regulations on serious or prolonged breaches of security or failure to rectify security lapses that may endanger the safety of civil aviation.
    - ii. An infringement notice may require that the operations of a particular operator be halted until the breach has

been rectified.

## **PART VIII –**

## **INFRINGEMENT NOTICES**

### **67. Purpose and effect of infringement notices**

1. The purpose of this Part is to create a system of infringement notices for offences against these Regulations as an alternative to prosecution.
2. This Part does not-
  - a. Require an infringement notice to be issued to a person for an offence;
  - b. Affect the liability of a person to be prosecuted for an offence if an
  - c. infringement notice is not issued to the person for the offence;
  - d. Prevent the issue of two or more infringement notices to a person for an offence;
  - e. Affect the liability of a person to be prosecuted for an offence if the person does not comply with an infringement notice for the offence; or
  - f. Limit or otherwise affect the penalty that may be imposed by a court on a person convicted of an offence.

### **68. Penalty payable under infringement notice**

The penalty for an offence payable under an infringement notice issued to the person for the offence is one-fifth of the maximum penalty that a court could impose on the person for the offence.

### **69. Authorised persons may issue infringement notice**

1. In this Regulation, “infringement notice offence” means an offence against regulations 50, 54, 55, 57 and 58.
2. Where an authorised person has reason to believe that a person has committed an infringement notice offence, the authorised person may issue a notice, called an infringement notice, to the person for the offence.
3. An authorised person who knowingly improperly issues an infringement notice or who issues an infringement notice for any purpose other than to ensure aviation security commits an offence and is liable, on conviction, to a fine not exceeding 5000.or to imprisonment for a term not exceeding 12 months, or both.

### **70. Contents of infringement notice**

An infringement notice shall-

- a. bear a unique number;
- b. State the name of the authorised person who issued it;

- c. State its date of issue;
- d. State the full name, or the surname and initials, and the address, of the person to whom it is issued;
- e. Give brief details of the offence for which it is issued, including-
  - f. The date and time of the offence;
  - g. Where the offence happened;
  - h. The provision of these Regulations contravened;
  - i. State the penalty for the offence payable under the notice;
  - j. State where and how that penalty can be paid including, if the penalty can be paid by posting the payment, the place to which it should be posted;
- k. State that if the person to whom it is issued (the recipient) pays the penalty within twenty-eight days after the day on which the notice is served, or any longer time allowed in writing by an authorised person, then, unless the infringement notice is subsequently withdrawn and any penalty paid refunded-
  - i. Any liability of the recipient for the offence will be discharged;
  - ii. The recipient will not be prosecuted in a court for the offence;
  - iii. The recipient will not be taken to have been convicted of the offence;
- l. State the greatest penalty that a court could impose on the recipient for the offence;
- m. State that if the recipient is prosecuted in court and found guilty of the offence, the recipient may be convicted of the offence and ordered to pay a penalty and costs, and be subject to any other order that the court makes;
- n. State how and to whom the recipient can apply to be allowed more time to pay the penalty; and
  - i. Be signed by the authorised person who issued it.
  - ii. An infringement notice may contain any other information that the authorised person who issues it thinks necessary.

**71. Service of infringement notice**

- 1. An infringement notice shall be served on the person to whom it is issued.
- 2. An infringement notice may be served on an individual-
  - a. By giving it to the individual;
  - b. By leaving it at, or by sending it by post, telex, fax or similar facility to,
  - c. the address of the place of residence or business (the

- relevant place) of the individual last known to the authorised person who issues it;
- d. By giving it, at the relevant place, to someone who-
    - i. Lives or is employed, or apparently lives or is employed, there; and
    - ii. Is, or the authorised person who issued it has reason to believe is, over eighteen years of age.
3. An infringement notice may be served on a corporation-
    - a. By leaving it at, or by sending it by post, telex, fax or similar facility to the address of the head office, a registered office or a principal office of the corporation;
    - b. By giving it, at an office mentioned in paragraph (a), to someone who is, or the authorised person who issued it has reason to believe is, an officer or employee of the corporation.

**72. Time for payment of penalty**

- The penalty stated in an infringement notice shall be paid-
- a. Within twenty-one days after the day on which the notice is served on the person to whom it is issued;
  - b. If the person applied for a further period of time in which to pay the penalty, and that application is granted, within the further period allowed;
  - c. If the person applies a further period of time in which to pay the penalty, and the application is refused, within seven days after the notice of the refusal is served on the person;
  - d. If the person applies for the notice to be withdrawn, and the application is refused, within twenty-one days after the notice of the refusal is served on the person.

**73. Extension of time to pay penalty**

1. The person to whom an infringement notice is issued may apply, in writing, to the Appropriate Authority for a further period of up to twenty-eight days in which to pay the penalty stated in the notice.
2. Within fourteen days after receiving the application, the Appropriate Authority shall
  - a. Grant or refuse a further period not longer than the period sought; and
  - b. Notify the recipient in writing of the decision and, if the decision is a refusal, the reasons for it.
3. Notice of the decision may be served on the recipient in any way in which the infringement notice could have been served

on the recipient.

**74. Effect of payment of penalty**

1. Where an infringement notice is not withdrawn, and the person to whom it is issued for an offence pays the penalty stated in the notice-
  - a. Any liability of the person for the offence is discharged;
  - b. The person shall not be prosecuted in a court for the offence;
  - c. The person is not taken to have been convicted of the offence.
2. Where two or more infringement notices are issued to a person for the same offence, the person's liability to be prosecuted for the offence ceases if the person pays the penalty stated in any of the notices.

**75. Withdrawal of infringement notice**

1. A person may apply in writing to the Appropriate Authority, before the end of twenty one days after receiving an infringement notice, for the infringement notice to be withdrawn.
2. The Appropriate Authority shall, within fourteen days after receiving the application -
  - a. Withdraw or refuse to withdraw the notice;
  - b. Notify the person in writing of the decision and, if the decision is a refusal, the reasons for the decision.
3. Where the Appropriate Authority has not approved, or refused to approve, the withdrawal of the notice within the period allowed by subregulation (2), the Appropriate Authority is taken to have refused to approve the withdrawal of the notice.
4. The Appropriate Authority shall, before withdrawing or refusing to withdraw a notice, consider-
  - a. Whether the person has been convicted previously of an offence against these Regulations;
  - b. The circumstances of the offence stated in the notice;
  - c. Whether the person has previously paid a penalty under an infringement notice issued to the person for an offence of the same type as the offence mentioned in the notice; and
  - d. Any other relevant matter.
5. The Appropriate Authority may also withdraw an infringement notice without an application having been made.

**76. Notice of withdrawal of infringement notice**

1. Notice of the withdrawal of an infringement notice may be served on a person in any way in which the infringement notice could have been served on the person.
2. A notice withdrawing an infringement notice served on a person for an offence-
  - a. Shall include the following information-
    - i. The full name, or surname and initials, and address of the person;
    - ii. The number of the infringement notice;
    - iii. The date of issue of the infringement notice;
3. Shall state that the notice is withdrawn; and
4. If the Appropriate Authority intends to prosecute the person in a court for the offence, shall state the person may be prosecuted in a court for the offence.

**77. Refund of penalty**

Where an infringement notice is withdrawn after the penalty stated in it has been paid, the relevant Government Appropriate Authority must refund the amount of the penalty to the person who paid it, within sixty days after the withdrawal of the notice.

**PART IX –**

**REVOCAION SAVINGS AND TRANSITIONAL PROVISIONS**

**78. Revocation**

Any regulations prior to these promulgated herein this date as signed by the sitting Minister of Transport, this day of 30th September to begin effect, stand revoked.

**79. Existing operators**

Every person who, immediately before the commencement of these Regulations, was operating as an airport operator, an aircraft operator, a regulated agent or a catering operator may, on the commencement of these Regulations, continue their operations but shall, within one hundred and eighty days after the commencement of these Regulations, submit to the Appropriate Authority a security programme for approval in accordance with regulation 17

**80. Existing airport security permits**

An airport security permit in force at the commencement of these Regulations shall, until its expiry and or cancellation, have effect as if issued under these Regulations.

Dated the 31<sup>st</sup> December 2012

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**Kamal Bin Ahmed Mohammed**  
**Minister for Transport**



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