

DRAFT REGULATIONS

**Made Under
THE CIVIL AVIATION ACT 2018
(Act No. 21 of 2018)**

IN EXERCISE OF THE POWERS CONFERRED UPON ME BY SECTIONS 143 AND 144
OF THE CIVIL AVIATION ACT, I MAKE THE FOLLOWING REGULATIONS: -

**THE
CIVIL AVIATION SECURITY
REGULATIONS 2025
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CITATION AND COMMENCEMENT

1.

These Regulations may be cited as the Civil Aviation Security Regulations, 2025

Citation

PART I - INTERPRETATION

2.

Interpretation

For the purpose of these Regulations -

“act of unlawful interference” means an act which seeks to or jeopardizes the safety of civil aviation and air transport such as -

- 1) unlawful seizure of an aircraft in flight or on the ground;
- 2) destruction to an aircraft in service;
- 3) hostage-taking on board an aircraft or on aerodromes;
- 4) forcible intrusions on board an aircraft, at an airport or at the premises of an aeronautical facility;
- 5) introduction on board an aircraft or at an airport of a weapon or hazardous device or material intended for criminal purposes;
- 6) use of an aircraft in service for the purpose of causing death, serious bodily injury, or serious damage to property or the environment,
- 7) communication of false information so as to jeopardize the safety of aircraft in flight or on the ground, of passengers, crew, ground personnel or the general public, at an airport or at the premises of a civil aviation facility;

“aerial work” means an aircraft operation in which the aircraft is used for specialized services such as agriculture, construction, photography, surveying observation and patrol, search and rescue and aerial advertisement;

“aerodrome” a defined area on land or water, including any buildings, installations and equipment, intended to be used either wholly or in part for the arrival, departure and surface movement of aircraft;

“aerodrome operator” means a person who operates an aerodrome in Guyana, holding an aerodrome license issued under the Civil Aviation Regulations, 2018 in respect of such aerodrome and regularly serving scheduled, non-scheduled passenger operations and cargo operations in accordance with the Act or Regulations made there under;

“aerodrome tenant” means any enterprise that is resident at an aerodrome;

“aircraft security check” means an inspection of the interior of an aircraft to which passengers may have had access and an inspection of the hold for the purposes of discovering suspicious objects, weapons, explosives or other dangerous devices, articles and substances;

“aircraft security search” means a thorough inspection of the interior and exterior of the aircraft for the purpose of discovering suspicious objects, weapons, explosives or other dangerous devices, articles and substances;

“aircraft operator” means a national aircraft operator and a foreign aircraft operator;

“aircraft operators’ documents” means air waybills/consignment notes, passenger tickets and boarding passes, bank and agent settlement plan documents, excess baggage tickets, miscellaneous charges orders (M.C.O.), damage and irregularity reports, baggage and cargo labels, timetables, and weight and balance documents, for use by aircraft operators.

“air operator” means any person, organization or enterprise who or which holds an air operator certificate and undertakes to engage in, domestic or international, commercial air transport, whether directly or indirectly or by a lease or any other arrangement;

“airport” means any defined area of land or water intended or designated to be used either wholly or partly for purposes of the landing, departure, movement and servicing of aircraft, and includes any buildings, installations and equipment on or adjacent to such area and used for such or related purposes; and lawfully recognized as an airport;

“airport facilitation committee (AFC)” means a Committee established under regulation 153.

“airport facilitation programme (AFP)” means the written programme referred to in regulation 152.

“airside” means the movement area of an airport, adjacent terrain and buildings or portions thereof, access to which is controlled;

“air traffic control tower” means the facility established to provide air traffic control services for airport traffic;

“air traffic management system” means a system that provides ATM through the collaborative integration of humans, information, technology, facilities and services, supported by air and ground- and/or spaced-based communications, navigation and surveillance;

“authority” means the Guyana Civil Aviation Authority established under the Civil Aviation Act, 2018;

“authorized search” means a search carried out of persons or goods destined to enter or is within a restricted area of an aerodrome, or on board an aircraft, by a designated aviation security officer, police officer or any other person designated by the Guyana Civil Aviation Authority.

“aviation document” means any licence, certificate, or other instrument issued by the Authority in respect of any person, aircraft, aerodrome or aviation related service, or such other document as may be approved by the Authority;

“aviation security officer” means -

- 1) a person who is trained in accordance with the security training requirements of the approved Aerodrome Operator Security Programme and who has been appointed as an aviation security officer by an aerodrome operator, aircraft operator or aerodrome tenant; and
- 2) any member of the Guyana Police Force or Supernumerary Constable when assigned aerodrome security duties;

“aviation security screening officer” means a person who by virtue of his training has been employed by the aerodrome operator to carry out aviation security screening duties;

“background check” means a check of a person’s identity and previous experience, including criminal history and any other security related information relevant for assessing the person’s suitability, as part of the assessment of an individual’s suitability to be employed or contracted to implement security control or for unescorted access to security restricted areas;

“baggage” *means* personal property of passengers or crew carried on an aircraft by agreement with the operator;

“cargo” means any property carried on an aircraft other than mail, stores and accompanied or mishandled baggage;

“carry-on baggage” means luggage and personal belongings to which a person will have access while on board an aircraft;

“catering stores” means all items, other than catering supplies, associated with passenger in-flight services, that includes newspapers, magazines, headphones, audio and video tapes, pillows and blankets, amenity kits;

“catering supplies” means food, beverages, other dry stores and associated equipment used on board an aircraft;

“certification” means a formal evaluation and confirmation by or on behalf of the appropriate authority for aviation security that a person possesses the necessary competencies to perform assigned functions to an acceptable level as defined by the appropriate Authority;

“checked baggage” means luggage and personal belongings accepted for transportation by an aircraft operator and to which a person will not have access while on board an aircraft;

“clearance of goods” means the accomplishment of the customs formalities necessary to allow goods to enter home use, to be exported or to be placed under another customs procedure;

“commercial air transport operation” means an aircraft operation involving the transport of passengers, cargo or mail for remuneration or hire;

“computer data” means any representation of facts, concepts, machine-readable code or instructions; or information, including text, audio, image or video, that is in a form suitable for processing in a computer system and is capable of being sent, received or stored; and includes traffic data or a computer programme;

“computer data storage medium” means anything in which computer data is capable of being stored; or from which computer data is capable of being retrieved or reproduced, with or without the aid of a computer system;

“computer programme” means computer data which represents instructions or statements that, when executed in a computer system, can cause the computer system to perform a function;

“computer system”: –

- a) means a device or group of interconnected or related devices, which follows a computer programme or external instruction to perform automatic processing of computer data; and
- b) includes, but is not limited to, a desktop computer, a laptop computer, a netbook computer, a tablet computer, a video game console, a smart phone, a personal digital assistant, or a smart television;

“contracted personnel” means a person who is contracted by the airline or airport to carry out security and other functions at the airport on their behalf.

“corporate aviation” means the non-commercial operation or use of aircraft by a company for the carriage of passengers or goods as an aid to the conduct of company business, flown by a professional pilot employed to fly the aircraft;

“crew member” means a person assigned by an operator to duty on an aircraft during a flight duty period;

“dangerous goods” means articles or substances which are capable of posing significant risk to health, safety or property when transported by air and which are classified according to the International Civil Aviation Organization Technical Instructions for the Safe Transport of Goods by Air;

“disembarkation” means the leaving of an aircraft after a landing, except by crew or passengers continuing on the next stage of the same through-flight;

“disruptive passenger” means a passenger who fails to respect the rules of proper conduct at an airport or on board an aircraft or to follow the instructions of the airport staff or flight or cabin crew members and thereby disturbs the good order and discipline at an airport or on board an aircraft;

“escort” means to accompany or supervise an individual who does not have unescorted access authority to areas restricted for security purposes, as identified in the Aerodrome Operator Security Programme, in a manner sufficient to take action should the individual engage in activities other than those for which the escorted access is granted;

“FAL” means facilitation.

“facilitation” means the efficient management of the necessary control process, with the objective of expediting the clearance of persons or goods and preventing unnecessary operational delays;

“firearm” means any lethal barreled weapon of any description from which any shot, bullet or missile can be discharged and includes any prohibited weapon whether such a lethal weapon as aforesaid or not, any component part of any such lethal or prohibited weapon, and any accessory to any such weapon designed or adapted to diminish the noise or flash caused by firing the weapon.

“flight crew member” means a licensed crew member charged with duties essential to the operation of an aircraft during a flight duty period;

“foreign air operator” means an aircraft operator who conducts international air transport operations under the authority of an air operator certificate issued by a State other than Guyana;

“function” in relation to a computer system includes logic, control, arithmetic, deletion, storage or retrieval, and communication or telecommunication to, from or within a computer system;

“general aviation” means all aviation activity at an aerodrome associated with the arrival and departure of aircraft other than air operators;

“general aviation operation” means an aircraft operation other than a commercial air transport operation or an aerial work operation and includes corporate aviation;

“goods” means personal belongings, baggage, cargo, mail, article, thing or conveyance that may be taken or placed on board an aircraft or taken into a restricted area;

“hijacking” means any person who on board an aircraft in flight unlawfully, by force or threat thereof, or by any other form of intimidation, seizes, commandeers or exercises control of, that aircraft, or attempts to perform any such act;

“human factors principles” means principles which apply to design, certification, training, operations and maintenance and which seek safe 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;

“immigration control” Measures adopted by States to control the entry into, transit through and departure from their territories of persons travelling by air;

“incendiary device” means an object, other than a match or pocket lighter, that is fabricated with combustible materials and when ignited may cause fire damage to property or inflict burn injuries on individuals;

“in-flight security officer” means a person who is authorized by the government of the State of the Operator and the government of the State of Registration to be deployed on an aircraft with the purpose of protecting that aircraft and its occupants against acts of unlawful interference.

“information and communication technology (ICT) mean any information or communication device - analog or digital, or application, encompassing radio, television, telephones smartphones, smart pads, computer and network hardware and software, data storage systems and devices, satellite systems, surveillance systems, navigation systems, as well as the various services and applications associated with them;

“international airport” means any airport designated in Guyana as an airport of entry and departure for international air traffic, where the formalities incident to customs, immigration, public health, animal and plant quarantine and similar procedures are carried out;

“isolation” means separation of suspected, infected, or contaminated persons or affected baggage, containers, conveyances, goods or postal parcels from others in such a manner as to prevent the spread of infection or contamination;

“lading” means this is the placing of cargo, mail, baggage or stores on board an aircraft to be carried on a flight;

“mail” means dispatches of correspondence and other items tendered by and intended for delivery to postal services in accordance with the rules of the Universal Postal Union (UPU).

“narcotics control” means measures to control the illicit movement of narcotics and psychotropic substances by air;

“National Air Transport Facilitation Committee (NATFC)” means a Committee established under regulation 151.

“National Air Transport Facilitation Programme (NATFP)” means the written programme to be developed under regulation 150.

“national aircraft operator” means an aircraft operator operating under the authority of the Guyana Civil Aviation Authority;

“National Civil Aviation Security Committee” means the Committee established under Part I of these regulations;

“passenger amenities” means facilities provided for passengers which are not essential for passenger processing;

“person in custody” means a person who is for the time being under the control of an escort officer or law enforcement officer;

“personnel security” means the part of security concerned with procedures designed to assess whether an individual can, taking into account his loyalty, trustworthiness and reliability, be authorized to have initial and continued access to classified information and controlled areas without constituting an unacceptable risk to security;

“person with disabilities” means any person whose mobility is reduced due to a physical incapacity - sensory or loco-motor, an intellectual deficiency, age, illness or any other cause

of disability when using transport and whose situation needs special attention and the adaptation to the person's needs of the services made available to all passengers;

“personal search” means a search of the clothing of a person and personal belongings for prohibited items and substances by a designated aviation security officer, an airport security officer or a member of the Guyana Police Force;

“physical security” means the part of security concerned with physical measures designed to safeguard people; to prevent unauthorized access to equipment, facilities, material and documents; and to safeguard them against a security incident;

“pilot-in-command” means the pilot responsible for the operation and safety of the aircraft during flight time;

“piracy” means any illegal acts of violence or detention, or any act of depredation, committed by the crew or the passengers of an aircraft, or and directed against another aircraft, or against persons or property on board an aircraft;

“private charter” means an agreement to hire an entire aircraft for the carriage of passengers and goods;

“protective services” means officers of the Guyana Police Force and the Guyana Defense Force;

“public authorities” means the agencies or officials of a Contracting State responsible for the application and enforcement of the particular laws and regulations of that State which relate to any aspect of these Standards and Recommended Practices;

“public charter” means an agreement to hire a specified cargo space or number of passenger seats on an aircraft for the carriage of passengers and goods;

“public health risk” means a likelihood of an event that may affect adversely the health of human populations, with an emphasis on one which may spread internationally or may present a serious and direct danger;

“quarantine” means the restriction of activities or separation from others of suspect persons who are not ill or of suspect baggage, containers, conveyances or goods in such a manner as to prevent the possible spread of infection or contamination;

“record” includes any writing, drawing, map, tape, film, video, photograph, or other means by which information is preserved;

“regulated agent” means an agent, freight forwarder or any other entity who conducts business with an air operator and provides security controls that are accepted or required by the appropriate authority in respect to cargo and mail;

“restricted area” means any area of an aerodrome that is identified as an area to which access is restricted to authorized persons and includes any aircraft or vehicle on that aerodrome;

“restricted area pass” means a document issued by the designated pass issuing authority, that entitles the holder to have access to a specific restricted area of an aerodrome during a specified period;

“risk” means the potential for an unwanted outcome resulting from an incident, event or occurrence. Risk can be estimated by considering the likelihood of threats, vulnerabilities and consequences or impacts;

“risk assessment” means the continual, on-going exercise to update the complete range, magnitude and type of credible threats and their likelihood, based on reliable information from the intelligence services, the vulnerabilities to them, and the possible consequences or impacts of loss of degradation from successful attacks;

“screening” means the application of technical or other means which are intended to identify or detect weapons, explosives or other dangerous devices, articles or substances which may be used to commit an act of unlawful interference;

“screening staff” includes aviation security officer and aviation security screening officer;

“scheduled passenger operations” means the provision of an air transportation service for passengers from identified air terminals at a set time announced by timetable or schedule published in a newspaper, magazine, gazette or other advertising medium;

“security” means safeguarding civil aviation against acts of unlawful interference, achieved by a combination of measures and human and material resources;

“security audit” means an in-depth compliance examination of all aspects of the implementation of the National Civil Aviation Security Programme;

“security control” means the means by which the introduction of weapons, explosives or other dangerous devices, articles or substances which may be used to commit an act of unlawful interference can be prevented;

“security inspection” means an examination of the implementation of relevant National Civil Aviation Security Programme requirements by an aircraft operator, airport or other entity involved in security;

“security measure” includes, safeguards, controls, policies, procedures, passwords, access codes and encryption codes developed to prevent entry or accessibility;

“security restricted area” means those areas of the airside of an airport which are identified as priority risk areas where in addition to access control, other security controls are applied and will include areas such as all commercial aviation passenger departure areas between the screening checkpoint and the aircraft, the ramp, the apron, the baggage make-up areas, including those areas where aircraft are being brought into service and where screened baggage and cargo are present, cargo sheds, mail centers, airside catering and aircraft cleaning premises;

“security test” means a covert or overt trial of an aviation security measure which simulates an attempt to commit an unlawful act;

“security programme” means an Aviation Security Programme, Airport Security Programme, Aircraft Operator Security Programme, Programme, Airline Security Programme, Catering Operator Security Programme, Cargo Operator Security Programme, where applicable;

“service provider” means an agent or entity, including a security service provider, or handling service or company which conducts business for an aircraft or airport operator in respect of conducting aircraft checks or searches, facility searches, documentation checks, passengers handling, passenger screening, screening and searching cargo, mail, baggage, carry-ons, check baggage handling, access control and any similar duty or function assigned by the aircraft or airport operator.

“sterile area” means: -

- 1) an area between any passenger inspection or screening checkpoint and aircraft, into which access is strictly controlled;
- 2) an area within a restricted area to which access is controlled by the inspection of persons and property in accordance with Parts I and II of these Regulations;
- 3) a facility within a restricted area of an aerodrome accessible to screened persons and set apart to facilitate security control of persons embarking and disembarking aircraft;

“Technical Instructions” means the International Civil Aviation Organization Instructions for the transport of Dangerous Goods by air;

“threat” for aviation security means that threats are deliberate, intentional acts carried out by individuals or organizations, generally with a hostile purpose.

“transit passenger” means a passenger departing from an aerodrome or airport on the same flight as that on which he arrived;

“transfer passenger” means a passenger making direct connection between two different flights;

“travel document” means a passport or other official document of identity issued by a State or organization, which may be used by the rightful holder for international travel.

“unidentified baggage” means baggage at an airport, with or without a baggage tag, which is not picked up by or identified with a passenger;

“weapon” means anything designed, used or capable of inflicting harm and includes a firearm.

Applicability

3.

(1) These Regulations apply to –

- (a) airport operators;
- (b) aerodrome operators;
- (c) national aircraft operators;
- (d) foreign aircraft operators;
- (e) airport tenants;
- (f) person or persons in or within the vicinity of an airport or aerodrome;
- (g) cargo operators
- (h) air navigation service providers
- (i) catering service providers
- (j) security service providers
- (k) handling service providers
- (l) a person or persons who offers goods for transport by air.
- (m) a person or persons who provides contracted services to air operators, aerodrome operators or tenants
- (n) a person or persons on board an aircraft
- (o) all persons and personnel granted authorized access to the Airport.

(2) The provisions of Part I of the Civil Aviation Security Regulations, 2025 with respect to the suspension or revocation of aviation documents apply to approvals, certificates, security programmes, and authorizations issued under these Regulations.

Prohibition Orders

4.

The Director General may issue an order prohibiting the carriage by aircraft of any item, either as personal belongings, freight, catering, cargo or mail.

National Civil Aviation Security Programmes

5.

A written National Civil Aviation Security Programme shall be established, implemented, and maintained by the Authority to safeguard civil aviation operations against acts of unlawful interference, through regulations, programmes, practices, and procedures which take into account the safety, regularity and efficiency of flights

Appropriate Authority Responsible for Aviation Security

6.

(1) For the purpose of these Regulations, the Authority shall be the authority responsible for the oversight of aviation security in Guyana; and designated as the appropriate authority responsible for the development and implementation of the National Civil Aviation Security Programme of Guyana including, inter alia: -

- a) Coordinating and monitoring the implementation of the National Civil Aviation Security Programme by other Government agencies and bodies to which responsibilities have been assigned.
- b) Reviewing and approving the security programmes developed by aerodrome or airport operators, airline operators, cargo operators, catering services and air traffic services providers, prior to their implementation, and monitoring the implementation of the security programmes; and
- c) liaising with the National Civil Aviation Security Committee and from time to time, and other national security agencies and services on matters of aviation security and taking adequate measures to respond to different levels of threats.
- d) Reviewing and approving Airport Security Managers, and Security Instructors as outlined in the National Civil Aviation Security Programme, the National Civil Aviation Security Training Programme.
- e) Reviewing and recommending personnel nominated as Security Screeners, and Quality Control Personnel in accordance with the training, certification, and evaluation processes as outlined in the National Civil Aviation Security Programme, the National Civil Aviation Security Training Programme, the National Civil Aviation Security Quality Control Programme, and the National Civil Aviation Security Screeners' Certification Programme.

(2) The Director General of the Authority (GCAA) shall approve and ensure that: -

- a) a written National Civil Aviation Security Programme is promulgated amongst aviation stakeholders to safeguard civil aviation operations against acts of unlawful interference;
- b) the level of threat to civil aviation within Guyana is kept under constant review and policies, methods and procedures are established to adjust the relevant elements of the National Civil Aviation Security Programme, accordingly, based upon a security risk assessment conducted and acceptable to the Authority;
- c) tasks are defined and allocated, and activities are coordinated between departments, agencies and other organizations, aerodrome or airport and aircraft operators and other entities concerned with or responsible for the implementation of various aspects of the National Civil Aviation Security Programme;
- d) a written National Civil Aviation Security Training Programme is developed, implemented, and maintained for personnel of all entities involved with or responsible for the implementation of various aspects of the National Civil Aviation Security Programme and designed to ensure effectiveness of the National Civil Aviation Security Programme;
- e) training standards for the National Civil Aviation Security Training Programme referred to in sub-regulations (2) (d) are defined, and trainers and training programme meet those standards;
- f) a written National Civil Aviation Security Quality Control Programme is developed, implemented and maintained to determine compliance with and validate the effectiveness of the National Civil Aviation Security Programme and any civil aviation regulations, policies and procedures;
- g) a written National Civil Aviation Security Screeners Certification Programme is developed, implemented and maintained to ensure that persons assigned to conduct aviation security screening functions are properly trained and tested and meet the basic qualifications to perform such screening functions;
- h) a written version of the appropriate parts of the National Civil Aviation Security Programme and relevant information or guidelines are made available to all airport operators, aircraft operators and other appropriate stakeholders and security entities operating in Guyana, to enable them to meet the requirements of the National Civil Aviation Security Programme;

Management and Response to Acts of Unlawful Interference

7.

- (1) The Director General shall ensure that provisions are established in the NCASP to outline roles and responsibilities for the management of response to acts of unlawful interference.
- (2) Airport and/or aerodrome operators are required to develop contingency or emergency plans which must be tested as follows:
 - i. a full-scale contingency exercise conducted biennially or at intervals not exceeding two years; and
 - ii. a table-top contingency exercises in the intervening year.
- (3) Subject to sub-regulation (2), contingency or emergency exercises, or components thereof shall be evaluated by authorized Inspectors of the Authority or authorized persons empowered to discharge the functions entrusted to them by the Director General.
- (4) Subject to sub-regulations (2), evaluation of all contingency and emergency exercises shall be in accordance with ICAO and the Authority's requirements.
- (5) Subject to sub-regulations (1), airport or aerodrome operators shall submit their contingency or emergency plan to the Authority for review.

Promoting International Cooperation

8.

- (1) In promoting international co-operation in aviation security, the Director General may, where he or she considers it appropriate: –
 - a) ensure that request from other Contracting States for additional security measures in respect to a specific flight by operators of the other State are met, as far as practicable;
 - b) co-operate with other Contracting States in the development and exchange of information concerning: –
 - i. National Civil Aviation Security Programme;
 - ii. National Civil Aviation Security Training Programme;
 - iii. National Civil Aviation Security Quality Control Programme;
 - iv. National Civil Aviation Security Certification Programme;
 - v. National Civil Aviation Security Risk Assessment Programme;
 - vi. any other National Civil Aviation Security document of the Authority.

- c) ensure that where procedures are established and implemented, to share with other Contracting States threat information that applies to aviation security interest of those States;
 - d) establish and implement suitable handling procedures for the protection of security information shared with other Contracting States, in order to ensure that inappropriate use of disclosure of the security information is avoided; and
 - e) promote research and development of new security equipment, processes and procedures with other Contracting States which will better achieve civil aviation security objectives while observing Human Factors principles.
- (2) The Director General may request another Contracting State to provide additional security measures and information in respect of a specific flight by a national operator.
- (3) Where a request is made by the Director General under sub-regulation (2), the Director General shall give consideration to alternative security measures offered by that State which are equivalent to the request.

National Civil Aviation Security Committee

9.

- (1) There shall be established a National Civil Aviation Security Committee for the purposes of coordinating activities at a national level in order to ensure the implementation of the Standards and Recommended Practices of Annex 17 and to ensure that the National Civil Aviation Security Programme is regularly adjusted to meet the needs of the State's policy and changes in threat. The terms of reference of this Committee are to: -
- a) advise the Government and the civil aviation industry on Aviation Security initiatives and measures required to mitigate threats to civil aviation and its facilities;
 - b) support the implementation of the National Civil Aviation Security Programme by the Authority which sets out the Government's Aviation Security policy in respect of civil aviation operations within Guyana and for aircraft registered in Guyana;
 - c) assist in the coordination between the Ministries, Government agencies, departments and other relevant agencies to ensure that there is cooperation, and that effective implementation of the National Civil Aviation Security Programme is also realized;
 - d) assist in re-evaluating security measures and procedures following an act of unlawful interference and providing advice of actions to be taken as may be necessary to remedy weaknesses and prevent recurrence of any act of unlawful interference;

- e) consider recommendations made by Airport Security Committees of any designated airport in Guyana and, where appropriate, recommend for changes to be considered for the National Civil Aviation Security Programme developed by the Authority;
 - f) assist in the coordination, exchange and dissemination of information on incidents, threats and appropriate counter measures relating to Aviation Security; and
 - g) advocate and promote security consideration in the design of new airports or the expansion of existing facilities.
 - h) Fulfill any other terms outlined in Section 5 of the National Civil Aviation Security Programme, which is given legal force under this regulation.
- (2) The National Civil Aviation Security Committee may issue advice, not inconsistent with these Regulations to the Authority, and the Authority shall review and consider such advice for implementation where necessary.
- (3) The National Civil Aviation Security Committee shall consist of: –
- a) the Permanent Secretary of the Ministry responsible for civil aviation (as Chairperson);
 - b) the Director General of the Guyana Civil Aviation Authority (as Deputy Chairperson);
 - c) a representative of the Prime Minister’s office (or the Minister with responsibility for Civil Aviation) as Secretary;
 - d) the Director General of the Ministry of Foreign Affairs or a representative;
 - e) a Security Adviser to the President or Prime Minister or their representative;
 - f) the Permanent Secretary of the Ministry of Home Affairs or his representative;
 - g) the Permanent Secretary of the Ministry of Local Government or a representative;
 - h) the Commanding Officer of the Guyana Defense Force or a representative;
 - i) the Commissioner of Police or his representative;
 - j) the Commissioner General of the Guyana Revenue Authority or a representative;
 - k) the Chief Fire Officer or a representative;
 - l) the Chief Executive Officer of the Cheddi Jagan International Airport;
 - m) the Chief Executive Officer of the Eugene F. Correia International Airport;
 - n) the representative of the Aircraft Association;
 - o) the representative of the Airline Association.
- (4) An official mentioned in sub-regulation (3) may send a representative where he or she is not in a position to attend a meeting.
- (5) The Chairman may co-opt any other person with specialized knowledge of a matter under consideration by the National Civil Aviation Security Committee to be present at any meetings of the Committee.

- (6) Subject to sub-regulations (5), the National Civil Aviation Security Committee shall regulate its own procedures and determine the frequency of meeting.
- (7) Eight (8) members or their representative of the National Civil Aviation Security Committee, including not less than five of the members referred to in sub-regulations (3) (a), (b), (c), (e), (f), (l), and (m) shall constitute a quorum.
- (8) Meetings shall be called by the chair when required but at least once per year unless it is deemed necessary by the chairperson to increase the frequency of meeting. Minutes for each meeting shall be kept and, after approval by the members, shall be circulated to the authorities concerned.

Airport Security Committee

10.

- (1) An airport or aerodrome operator must establish an Airport or Aerodrome Security Committee to ensure the implementation of any national civil aviation security initiatives that may be required by the National Civil Aviation Security Committee and the Authority from time to time.
- (2) An Airport or Aerodrome Security Committee under sub-regulation (1), must comprise of representatives from (and including): -
 - a) The Airport or aerodrome operator as the Chair-person;
 - b) The Airport Security Manager;
 - c) The Guyana Police Force responsible for airport duties;
 - d) The Guyana Defense Force;
 - e) The Guyana Fire Service;
 - f) The Air Navigation Service Provider;
 - g) The Guyana Revenue Authority;
 - h) The Passport and Immigration Office;
 - i) The handling companies;
 - j) The aircraft operators or airlines operating at the airport,
 - k) The airport or aerodrome security;
 - l) The cargo operator or regulated agents;
 - m) The airport or aerodrome tenants;
 - n) Representative of the government agencies at the aerodrome;
 - o) Representative of general aviation operation
 - p) Representative of other security services or agencies operating at the aerodrome; and
 - q) Where applicable any other representatives operating at the aerodrome who the aerodrome operator determines should be included.
 - r) The representative of the GCAA's Aviation Security Department (as observer);

- (3) Subject to sub-regulations (2), the Committee shall regulate the procedure at its meetings in such a manner as it thinks fit and shall meet at least two to four times per annum, unless it is deemed necessary by the chair-person to increase the frequency of meeting.
- (4) Six members of the Committee shall constitute a quorum.
- (5) The “Terms of Reference” for the Aerodrome or Airport Security Committee shall be as set out in Schedule 1.

PART II - FACILITATION

Appropriate Authority Responsible for Facilitation

11.

- (1) For the purpose of these Regulations, the Guyana Civil Aviation Authority shall be designated as the appropriate agency responsible for the oversight of the security-related aspects of facilitation in accordance with ICAO’s Annex 9. The designated authority coordinates with all responsible Ministries, who hold full responsibility for their specific areas of competence.
- (2) The responsibilities of the Guyana Civil Aviation Authority shall be responsible, inter alia,:
 - a) To work with the chairperson/representative of the National Civil Aviation Security Programme (NCASP) to achieve and maintain consistency between the NATFP and NCASP.
 - b) To provide secretariat support to the National FAL Committee.
 - c) To periodically review full compliance with the SARPS within Annex 9 and, if necessary, file differences and notify ICAO.
 - d) To ensure operations are carried out in such a manner as to accomplish effective compliance with the laws of States while maintaining a high level of productivity for the operators, airports and government (inspection) agencies involved.
 - e) To undertake any other matters related to air transport facilitation as directed by the National FAL Committee chairperson.
 - f) To ensure operations are carried out in such a manner to accomplish effective compliance with security and facilitation requirements while maintaining a high level of productivity for the operators, airports and government agencies involved.

- g) To establish and ensure the implementation of a National Civil Aviation Security Programme to safeguard civil aviation against acts of unlawful interference;
- h) To define and allocate tasks and coordinate activities between the departments, agencies and other organizations of the State, including airport and aircraft operators, air traffic service providers and other entities concerned with, or responsible for, the implementation of various aspects of the National Civil Aviation Security Programme.
- i) To encourage the allocation of sufficient supporting resources and facilities required by stakeholders to effectively implement facilitation measures at each airport serving civil aviation.
- j) Coordinate and work closely with other government agencies and aircraft and airport operators in the application of aviation security measures in such a manner so as to minimize unnecessary delays and inconvenience to passengers, cargo and aircraft operators.
- k) Arrange for security controls and procedures to have minimal interference with, or delay to, the activities of civil aviation, whenever possible, provided the effectiveness of these security controls and procedures are not compromised.
- l) Ensure the use of efficient screening and examination techniques when processing passengers, baggage, and cargo to facilitate scheduled departure of aircraft.
- m) Allow the adoption of procedures, facilities and initiatives to facilitate movement of travelers, baggage, cargo and aircraft so long as all necessary security measures and other control requirements are met.
- n) Coordinate with the immigration authority to ensure that the technologies incorporated into travel documents enhance the facilitation and security of the traveler.
- o) To advise the chairperson of the NATFC on security processes or implications for consideration as and when required.
- p) To participate in the National FAL Committee meetings
- q) To provide secretarial support to the National FAL Committee.

National Air Transport Facilitation Committee

12.

- (1) There shall be established a National Air Transport Facilitation Committee for the purposes of: -

- (a) Developing and implementing the provisions of the National Air Transport Facilitation Programme in accordance with the provisions of Annex 9 to the Chicago Convention of 1944;
 - (b) Providing guidance and advice regarding making improvements to border-crossing and border security formalities which must be accomplished with respect to aircraft engaged in international operations and their passengers, crew and cargo, in line with the Chicago Convention of 1944 and ICAO's Annex 9;
 - (c) Ensuring coordination between relevant ministries, agencies and industry to remove unnecessary obstacles and delays and improve the efficiency in the services which facilitate commercial air transport operations;
 - (d) Considering recommendations to enhance facilitation of civil air transport made by relevant entities;
 - (e) Encouraging the development of best practices in all areas of facilitation of civil air transport including immigration, customs, and handling of the traveling passengers including persons with disabilities;
 - (f) Discussing proposed changes to regulations concerning facilitation of civil air transport;
 - (g) Informing agencies, departments and other organizations concerned of significant facilitation developments in the field of civil aviation;
 - (h) Coordinating with the National Civil Aviation Security Committee on security related elements of facilitation matters; and advising Government and the aviation sector on meeting compliance with new requirements.
- (2) The National Air Transport Facilitation Committee may issue advice, not inconsistent with these Regulations to the Authority, and the Authority shall consider and implement such advice where necessary.
- (3) The National Air Transport Facilitation Committee may be established as a sub-committee of the National Civil Aviation Security Committee. The composition of the National Air Transport Facilitation Committee shall consist of members from the following agencies:
- (a) Permanent Secretary of the Ministry of Public Works (Chairman)
 - (b) Director-General of Guyana Civil Aviation Authority (Deputy Chairman)
 - (c) Commissioner of Customs and Trade Administration
 - (d) Permanent Secretary of the Ministry of Public Health
-

- (e) Permanent Secretary of the Ministry of Agriculture (Quarantine)
- (f) Deputy Chief Immigration Officer
- (g) Chief Executive Officer of the Ogle International Airport
- (h) Chief Executive Officer of the Cheddi Jagan International Airport
- (i) A representative of the Aircraft Owners Association of Guyana
- (j) Foreign Airline Representative(s)
- (k) Guyana Civil Aviation Authority - National CAPSCA Coordinator(s)

The following members will play an advisory role to the National FAL Committee:

- (l) Permanent Secretary of the Ministry of Citizenship
 - (m) Permanent Secretary of the Ministry of Home Affairs
 - (n) Permanent secretary of the Ministry of Foreign Affairs
 - (o) Permanent Secretary of the Ministry of Tourism
 - (p) The Director General of Civil Defense Commission
- (4) Eight members or their representative of the National Air Transport and Facilitation Committee, including not less than five of the members listed under sub-regulation (3) a), b), c), d), h), i), and j) shall constitute a quorum.
- (5) Subject to sub-regulation (3), the National Air Transport Facilitation Committee shall compose government officials representing the main interests involved in the various domains of facilitation, representatives of the aviation industry and other representatives permanent or temporary, that can assist in the work of the committee.
- (6) The committee members identified above reserve the right to allow for a representative to attend the committee meeting on his or her behalf.
- (7) Alternates may be designated by their respective organizations to sit on the committee. Such persons should be given sufficient authority to speak on behalf of their organizations and to initiate necessary action in support of the National Air Transport Facilitation Committee's work.
- (8) The Chairman may co-opt any other person with specialized knowledge of a matter under consideration by the National Air Transport Facilitation Committee to be present at any meeting of the Committee. Experts may be invited by the National Air Transport Facilitation Committee to advise or contribute on specific subjects.
- (9) Subject to sub-regulation (12), the National Air Transport Facilitation Committee shall regulate its own procedures in accordance with schedule three.

(10) The National FAL Committee shall meet at least once every six (6) months, or as often as the Chairperson may deem to be necessary. The chairperson of the National Air Transport Facilitation Committee shall be responsible for convening both the regular and ad hoc meetings of the committee, and for ensuring that policies proposed by the National Air Transport and Facilitation Committee are considered in national legislation by the authorities concerned.

(11) The National FAL Committee is responsible for implementing the tasks and work programme outlined in the National Air Transport Facilitation Programme.

National Air Transport Facilitation Programme

13.

(1) A written National Air Transport Facilitation Programme (NATFP) shall be established and maintained to guide the improvement and optimization of passenger and cargo flows through airports and to improve customer service, while maintaining appropriate security requirements.

(2) The objectives of developing a National Air Transport Facilitation Programme (NATFP) are to coordinate between relevant ministries, agencies and industry partners in order to:

- a) Ensure that measures are implemented to comply with the Standards and Recommended Practices (SARPs) contained in ICAO's Annex 9 - Facilitation.
- b) Enhance processes and procedures to facilitate the movement of aircraft, crews, passengers, cargo, baggage, mail and stores by removing unnecessary obstacles and delays, in addition to enhancing efficiency, productivity and service quality of civilian air transport services.
- c) Proactively support the development of innovative strategies to address facilitation issues in the air transport industry and civil aviation environment of Guyana.

Establishment of Airport Facilitation Committee

14.

(1) There shall be established at each certified airport in Guyana an Airport Facilitation Committee (AFC) which shall be a subcommittee of the Airport Security Committee (ASC) for the purposes of coordinating civil aviation facilitation matters at the airport level. The '*Terms of Reference*' of the Airport Facilitation Committee (AFC) are:

- a) Implementing the National Air Transport Facilitation Programme at the airport level;
- b) Implementing the policies and directives of the National Air Transport Facilitation Committee;

- c) Liaising with Airport Security Committee to ensure that security in the airports do not hinder smooth passage of passengers, cargo, mail, crew and aircraft;
 - d) Reviewing reports of activities relating to facilitation at the airports and make suggestions for improvement.
 - e) Examining problems arising in connection with the clearance of aircraft, crew, passengers, cargo, baggage, mail and stores and, where possible, provide and effect solutions to the problems which may arise at the airport concerned; and
 - f) Making recommendations as appropriate to the National Air Transport Facilitation Committee for the implementation of proposals which cannot be addressed by the Airport Facilitation Committee.
- (2) The Airport Facilitation Committee shall consist of representatives from the following agencies:
- (a) The airport operator as the Chairman
 - (b) A representative of the Guyana Police Force- Criminal Investigation Division (CID)
 - (c) A representative of the Air Traffic Services Provider.
 - (d) A representative of the Customs and Trade Administration.
 - (e) A representative of the Customs Anti-Narcotic Unit (CANU)
 - (f) A representative of the Ground Handling Companies.
 - (g) A representative of the Security Service Providers
 - (h) A representative of the Airlines operating at the airport.
 - (i) A representative of Immigration.
 - (j) A representative of the Guyana Defence Force Air Corp.
 - (k) A representative of the Guyana Fire Service
 - (l) Relevant representatives of the Airport Operator.
 - (m) A representative of the Regulated Agents and Cargo Operators.
 - (n) A representative of the Guyana Post Office Corp.
 - (o) A representative of Port Health
 - (p) A representative of the Quarantine Division
 - (q) A representative of the Guyana Civil Aviation Authority
- (3) Subject to sub-regulations (2), the Committee shall regulate the procedures at its meetings in such a manner as it thinks fit and shall meet at least once quarterly except in cases of emergency. Six (6) members of the Committee shall constitute a quorum.
- (4) The Airport Facilitation Committees shall provide updates on airport facilitation matters to the National Air Transport and Facilitation Committee or designate a representative to

serve as a member of the National Air Transport and Facilitation Committee who may raise facilitation issues which cannot be resolved at an operational level.

- (5) The Airport Facilitation Committee, through its meetings, shall ensure that organizations engaged in facilitating the arrival and departure of aircraft, including the airport operators, air operators, and Government agencies, implement measures for aviation security and narcotics control that will facilitate the efficient clearance of aircraft, passengers, and cargo, arriving into, or departing from Guyana to prevent unnecessary delays, while respecting all aviation security policies and procedures.
- (6) The Airport Facilitation Committee shall assist in solving the day-to-day problems which may arise from the implementation of the Airport Facilitation programme, including: -
 - a) giving consideration to airport traffic flow arrangements;
 - b) including and facilitating consultation during planning and expansion of the airport to new or existing facilities for: -
 - i. establishing common provisions for users;
 - ii. ensuring signage are prominently displayed;
 - iii. ensuring adequate aircraft parking provisions are established;
 - iv. handling of outbound passengers, crew and baggage;
 - v. handling of inbound passengers, crew and baggage;
 - vi. establishing cargo and mail handling and clearance facilities; and
 - vii. providing accessibility for persons with disabilities.
 - c) The provision of public health, medical emergencies, plant and animal quarantine facilities;
 - d) The provision of adequate staffing and facilities for clearance controls to allow for the efficient operation of immigration and customs entry and departure services;
 - e) The provision of training to all relevant persons in their duties and responsibilities, including their relationship to facilitation as a whole and for the handling of unruly passengers and disruptive;
 - f) The provision of passenger amenities at the airport to improve its efficiency and services.
- (7) The Airport Facilitation Committee shall develop and implement an Airport Facilitation Programme to pursue the objectives of Annex 9 at the operational level, to facilitate the

completion of border clearance formalities at the airport with respect to aircraft, crews, passengers and cargo.

Airport Facilitation Programmes

15.

- (1) Every certified airport operator shall draw up and implement an Airport Facilitation Programme in accordance with the National Air Transport Facilitation Programme and ICAO Annex 9 together with the relevant guidance of the ICAO's manual on facilitation.
- (2) The Airport Facilitation Programme shall be a written statement of the measures to be adopted by the certified airport operators to facilitate the efficient flow of passengers through the airport and shall be submitted to the Authority for approval, prior to implementation.
- (3) The Airport Facilitation Programme shall comply with the requirements and procedures outlined in the National Air Transport Facilitation programme.

PART III - AVIATION SECURITY PROGRAMMES

Airport Security Programme

16.

- (1) An airport shall not operate an airport unless he has submitted an Airport Security Programme, which meets the requirements of these Regulations and the National Civil Aviation Security Programme for review and approval by the Authority.
- (2) A person shall not operate a Guyana registered aircraft within Guyana or internationally unless he has submitted an Aircraft Operator Security Programme for his operations, to the Authority for its review and approval.
- (3) A foreign air operator shall not conduct operations in Guyana unless he has submitted an Aircraft Operator Security Programme or Supplementary Station Procedures to the Authority for its review and acceptance or approval. The submission of an Aircraft Operator Security Programme or Supplementary Station Procedures to the Authority must also be done during the application for a Foreign Operations Specifications.
- (4) A person shall not operate an enterprise or an organization whose purpose is the movement of goods by air, within or and from Guyana, unless he has submitted a Cargo Security Programme to the Authority for its approval or acceptance.
- (5) A person shall not operate an enterprise or an organization whose purpose is the provision of catering supplies and stores for use in air transport within or from Guyana, unless he has

submitted a Catering Operator Security Programme to the Authority for review and approval.

- (6) A person shall not operate an enterprise or an organization which provide handling services or security services at, or connected with any aircraft or airline operator, and airport operator within Guyana, whether or not that handling service provider or security service provider occupies land deemed to be a tenant at, within or have access to any security restricted areas of the airport, unless he has submitted an Aviation Security Programme for his operations, to the Authority for review and approval.
- (7) A person shall not operate an enterprise or an organization whose purpose is the provision of Air Navigation Services at any designated airport within Guyana unless he has submitted an Air Navigation Service Security Programme to the Authority for its review and approval.
- (8) Where a person, airport operator, airline, or aircraft operator, handling company, catering operator, cargo operator, security service provider or any other aviation organization who wishes to have their aviation security programme, screener certification programme, security training programme, security quality control programme, and other aviation documents or approvals referred to throughout these regulations approved by the Authority, they shall: -
 - a) submit the aviation security programme, training programme, screener certification programme, quality control programme or any other security programme, in writing at least ninety days before the intended date of operations;
 - b) pay the prescribed fees in accordance with Schedule 1 which outlines the various types of security programmes, size of operation, and the fees required for their review, acceptance and approval.
 - c) pay the prescribed fees to the Authority in accordance with Schedule 1 which outlines the various fees required for the review, acceptance and approval of the aviation security training programme, and aviation security quality control programme.
 - d) pay the prescribed fees in accordance with Schedule 1 which outlines the various fees required for the review, acceptance and approval of the aviation security programme for catering establishments, security services, handling services, cargo operators and regulated agents.
 - e) meet the requirements of these Regulations as well as the National Civil Aviation Security Programme; the National Civil Aviation Security Screeners Certification

Programme; the National Civil Aviation Security Training Programme; and the National Civil Aviation Security Quality Control Programme.

(9) A security programme, under these regulations, submitted for the approval of the Authority, must last for a period of three years and shall be:

- a) updated and amended;
- b) re-submitted for review and approval or acceptance.
- c) must be signed by the applicant, specifically the operator's most senior representative.

(10) Subject to subsections (1) through (7), where an airport operator, aircraft operator, foreign aircraft operator, aviation enterprise, or person conducts their operation without an approved aviation security programme, or an accepted aviation security programme as the case may be, that operator, enterprise, or person has committed an offence and shall be liable to a fine of \$1,200,000.00

Additional Requirements for Applications

17.

(1) Where a person, under regulation 16 (9), submits his security programme as part of his application for: -

- a) an airport or aerodrome license under the Act or Regulations made there under;
- b) an Air Operator Certificate under the Civil Aviation Safety Regulations; and
- c) a Foreign Air Operator Operations Specifications under the Civil Aviation Safety Regulations.

he shall in addition to meeting the requirements of that Regulation, meet the requirements for his aviation security programme under these Regulations.

(2) For the purpose of administering these Regulations, a security programme shall be assessed by the Authority for adequacy and effectiveness.

Approval of Security Programmes

18.

(1) An Aviation Security Department is established within the Guyana Civil Aviation Authority to, inter alia, assess and evaluate the security programmes submitted under regulations 16 and 17. The department acts on behalf of the Director General in conducting

regulatory oversight and surveillance of security measures implemented by all civil aviation stakeholders.

- (2) Where the Authority is satisfied that a proposed security programme submitted under regulations 16 and 17 meets the requirements of these Regulations and does not conflict with the National Civil Aviation Security Programme, the Authority may accept the proposed security programme.
- (3) Where it is determined that a proposed security programme submitted under regulations 16 and 17 requires modification, the Authority may direct the applicant or operator to modify and re-submit the proposed security programme for the Authority's review and acceptance.
- (4) A submission under this Regulation does not authorize the airport or aerodrome operator, aircraft operator, cargo operator, regulated agent, air navigation service provider, handling service provider, security service provider or catering operator to use the proposed security programme, submitted for approval under these Regulations, in his operations until the programme has been evaluated and approved for use.
- (5) Where the Director General is satisfied that the security programme does not meet the requirements of these Regulations or conflicts with the National Civil Aviation Security Programme, then such a Security Programme will not be approved and the airport operator, aircraft operator, catering operator, air navigation service provider, handling service provider, security service provider, tenant, cargo operator or regulated agent, if he continues operations, commits an offence against these regulations and shall be subjected to penalty as prescribed in Regulation 16 (10).

Contents of an Aerodrome or Airport Operator Security Programme

19.

- (1) An Aerodrome or Airport Operator Security Programme under regulations 16, 17 and 18 in respect of a licensed aerodrome or airport shall be designed to safeguard against acts of unlawful interference and shall include at minimum: -
 - a) the objective of the security programme;
 - b) a description and plan of the aerodrome;
 - c) structure, composition and responsibilities of the Management of Airport Security;
 - d) composition and responsibilities of the Airport Security Committee;
 - e) details of the security measures at the aerodrome;
 - f) description of the standard operating procedures for the airport security system;
 - g) description of the administration and control of the airport access control permit system;
 - h) duties and responsibilities of persons who are required by the nature of their duties to be resident at the aerodrome;

- i) description of the security and communication procedures;
 - j) details of the procedures to be followed in response to acts of unlawful interference;
 - k) details of security training for staff;
 - l) recruitment and selection of staff; and
- (2) An Airport or Aerodrome Operator Security Programme under sub-regulation (1) shall be accompanied by a current scale map of the aerodrome under regulation 47.
- (3) An Aerodrome or Airport Operator shall comply with any further requirements as prescribed in the National Civil Aviation Security Programme.

Development of Aircraft Operator Security Measures

20.

- (1) A proposed Aircraft Operator Security Programme under regulations 16, 17 and regulations 18, (2) and (3), shall meet the requirements of the National Civil Aviation Security Programme and shall contain measures to ensure that: -
- a) passengers and their carry-on baggage are screened prior to boarding an aircraft engaged in civil aviation operations;
 - b) transfer and transit passengers and the carry-on baggage of such passengers are subjected to adequate security controls aimed at preventing unauthorized articles, items and substances from being introduced into the baggage and taken on board an aircraft engaged in civil aviation operations;
 - c) weapons, incendiary devices, explosives or any other dangerous device or substance, the carriage or bearing of which is not authorized and which may be used to commit an act of unlawful interference, are not introduced, by any means whatsoever, on board an aircraft engaged in civil aviation operations;
 - d) measures are taken to ensure that disembarking passengers do not leave items on board the aircraft at transit stops for such flights;
 - e) adequate measures are taken to ensure that during flight unauthorized persons are prevented from entering the flight crew compartment;
 - f) adequate measures are taken to ensure that during flight unruly and disruptive persons are prevented or restricted from endangering the safety of the flight;
 - g) there is no possibility, after the security screening points at aerodromes or airport serving civil aviation operations have been passed, of mixing or contact between

- passengers subjected to screening and other security control and other persons not subjected to screening or other security controls;
- h) checked baggage is subjected to screening and other appropriate security controls prior to being loaded into an aircraft engaged in civil aviation operations;
 - i) checked baggage intended for carriage in commercial air transportation operations and general aviation operations flights is protected from unauthorized access, interference and tampering from the point it is screened or checked in whether at an aerodrome, airport or elsewhere, until departure of the aircraft on which it is carried;
 - j) re-screening of checked baggage for which security has been jeopardized having been subjected to unauthorized access, interference or tampering;
 - k) the baggage of passengers who are not on board the aircraft are not transported unless that baggage are subjected to appropriate security controls which may include additional screening and identified as unaccompanied;
 - l) secured and controlled storage areas are established at the aerodrome or airport through which the aircraft operator operates, where mishandled baggage may be held until forwarded, claimed or disposed of in accordance with local laws to ensure that they are not tampered with;
 - m) consignments checked in as baggage by courier services for carriage on passenger aircraft engaged in civil aviation operations are screened;
 - n) transfer checked baggage is screened prior to being loaded onto an aircraft to protect against unauthorized interference and to prevent unauthorized articles or substances from being taken on board aircraft engaged in civil aviation operations, except where a validation process has been accepted by the Authority which determined that the baggage has been screened at the point of origin and subsequently protected from unauthorized interference from the originating aerodrome or airport to the departing aircraft at the transfer aerodrome or airport to prevent unauthorized articles from being taken on board aircraft engaged in civil aviation operations;
 - o) when providing a passenger service, only checked baggage which is authorized for carriage by the aircraft operator in accordance with the requirements specified in the National Civil Aviation Security Programme must be allowed on aircraft;
 - p) procedures are specified for the control of entry of firearms on board an aircraft which ensure that checked firearms are not loaded and are not accessible to passengers during flight time.

- q) cargo and mail accepted for transport on an aircraft engaged in commercial air transport operations are subjected to appropriate security controls and protected from interference from the point of screening to loading onto an aircraft;
- r) adequate supervision is provided to monitor and control the movement of screened passengers between the boarding gate and the aircraft to prevent screened passengers from coming into contact with unscreened persons; as well as to avoid mixing of departing and arriving passengers;
- s) the movement of persons and vehicles to and from the aircraft and within the footprint or vicinity of the aircraft are supervised in the security restricted areas in order to prevent unauthorized access to aircraft. Such measures shall include the use of appropriate escorts and marshals to supervise the movement of passengers boarding or embarking the aircraft; and passengers who are deplaning or disembarking aircraft.
- t) only items of hold baggage which have been individually identified as accompanied or unaccompanied, screened to the appropriate standard, and recorded as meeting the criteria for acceptance and transport, and authorized for that flight are accepted for carriage on the flight by an aircraft operator; and
- u) procedures including emergency procedures are established to deal with unidentified baggage and suspect baggage or cargo.
- v) Any other measures prescribed in the National Civil Aviation Security Programme NCASP.

Content of Aircraft Operator Security Programme

21.

- (1) In addition to the matters set out in regulation 20, an aircraft operator shall ensure that his Aircraft Operator Security Programme, required under regulation 16 and 17, contains -
 - a) provisions to meet his international obligations;
 - b) provisions to meet the requirement of the National Civil Aviation Security Programme and its national obligations under the Civil Aviation Act 2018 or Regulations made there under;
 - c) In addition to the requirements under sub-regulation (1), a national aircraft operator shall ensure that his Aircraft Operator Security Programme contains: -

Contents of a Cargo Operator Security Programme

22.

(1) Cargo operator shall ensure that its Cargo Operator Security Programme, required under regulation 16, contains: -

- a) the objective of the security programme
- b) a description and plan of the cargo facility
- c) provisions to meet his international obligations;
- d) provisions to meet the requirement of the National Civil Aviation Security Programme and its national obligations under the Act or Regulation made there under; and
- e) structure, composition and responsibilities of the management for security;
- f) description of the access control system;
- g) details of security training for staff;
- h) such other matters may be required by the Authority.
- i) procedures for -
 - (a) ensuring the security of his goods and cargo;
 - (b) ensuring the security of his buildings, premises, transport facilities, bonds and cargo buildings;
 - (c) ensuring the separation and protection of screened and unscreened goods and cargo;
 - (d) selection and recruitment of personnel;
 - (e) initial and refresher training of all personnel;
 - (f) initial and recurrent background checks; and
 - (g) description of the standard operating procedures for the security system and processes;
 - (h) details of the procedures to be followed in response to acts of unlawful interference or reporting an incident.

(2) A Cargo Operator Security Programme shall comply with the measures outlined in the National Civil Aviation Security Programme.

Contents of a Catering Operator Security Programme

23.

(1) A catering operator shall ensure that his Catering Operator Security Programme, required under regulation 16, contains: -

- a) the objective of the security programme
- b) a description and plan of the cargo facility
- c) structure, composition and responsibilities of the management for security;
- d) provisions to meet his international obligations;
- e) provisions to meet the requirement of the National Civil Aviation Security Programme and its national obligations under the Act or Regulation made there under; and

- f) include details of how he plans to meet the requirements set out in Schedule 5 in the manner set out therein;
- g) procedures for -
 - (a) ensuring the security of his catering goods;
 - (b) ensuring the security of his buildings, premises, transport facilities and catering buildings;
 - (c) selection and recruitment of personnel;
 - (d) initial and refresher training of personnel involved in the handling of goods;
 - (e) initial and recurrent background checks; and
 - (f) incident reporting.

(2) A Catering Operator Security Programme shall comply further measures outlined in the National Civil Aviation Security Programme.

Contents of Air Navigation Service Security Programme

24.

(1) The Air Navigation Service Provider shall ensure that his *Air Navigation Service Security Programme*, required under regulation 16, contains: -

- a) the objective of the security programme
- b) a description of the scope of Air Traffic Management Security
- c) provisions to meet his international obligations;
- d) provisions to meet the requirement of the National Civil Aviation Security Programme and its national obligations under the Act or Regulation made there under; and
- e) structure, composition and responsibilities of the management for security;
- f) description of the access control system;
- g) details of security training for staff;
- h) such other matters may be required by the Authority.
- i) procedures for: –
 - (a) ensuring the security of the physical facility and access control (ACCs, approach control facilities, air traffic control towers);
 - (b) ensuring the security and protection of Air Traffic Management Personnel
 - (c) ensuring the security of Information and Communication Technology (ICT) including cyber-security;
 - (d) ensuring personnel screening and vetting;
 - (e) visitor control system;
 - (f) facility layers of defense and mitigation options;
 - (g) selection and recruitment of personnel;
 - (h) initial and refresher training of all personnel;
 - (i) initial and recurrent background checks; and vetting of personnel.
- j) description of the standard operating procedures for the security system and processes;

k) details of the procedures to be followed in response to acts of unlawful interference or reporting an incident.

(2) An Air Navigation Service Security Programme shall comply with further measures outlined in the National Civil Aviation Security Programme.

Contents of an Aviation Service Provider Security Programme

25.

(1) A service provider including handling service provider and security service provider shall ensure that his Security Programme, required under regulation 16 (6), contains provisions to meet the requirements of the National Civil Aviation Security Programme and his national obligations under these Regulations made thereunder.

(2) A service provider including handling service provider and security service provider shall ensure that his Security Programme required under regulation 16 (6) shall be designed to describe the measures in place to safeguard his facility or premises, the airport, the aircraft operator, and equipment and vehicles against acts of unlawful interference and shall be in such form, manner and content as specified in the National Civil Aviation Security Programme.

(3) Subject to sub-regulations (2), aviation security programme shall be developed and submit to the Authority for review and approval prior to implementation; and must also include:

- (a) Scope of applicant's operation giving details of facilities, management structure, staffing, operational procedures, functions, etc.
- (b) Clear outline of reporting structure for incidents, contingencies and emergencies.
- (c) Security Instructors' academic and professional qualification and experience.
- (d) Service level agreement containing security responsibilities and requirements to be carried out on behalf of the airline or airport operator.
- (e) Copy of certificate of incorporation and registration for the business or company.
- (f) Name of partners, if any, including name, address, experience, and nature of partnership arrangements.
- (g) Applicant's experience in the area of proposed services.
- (h) List of key personnel detailing qualifications, skills, expertise and experience.
- (i) Any other measures outlined in the National Civil Aviation Security Programme.

(4) Service providers including handling service providers, and security service providers must clearly define their roles and responsibilities in respect of security measures and practices which will be applied or performed on behalf of the airport or aircraft operator or contractor;

- (5) Service providers including handling service providers and security service providers must clearly outline in their security programme their recruitment policy, how background checks are conducted, how employees are selected, and provisions for formal and recurrent training for all employees;
- (6) Service providers including handling service providers and security service providers must ensure that staff employed and under their control are given appropriate aviation security training before being deployed to carry out their duties and functions;
- (7) Service providers including handling service providers and security service providers shall include in their security programme provisions for training and development of staff including refresher training for all staff involved in passenger screening, documentation checks, aircraft searches or checks, handling of passengers, searching cargo, baggage and for any other duties or functions assigned by the air operator, airport operator or contractor.
- (8) Service providers including handling service providers and security service providers must develop a security training programme or manual, and presentations and training materials which shall be reviewed and approved by the Authority.
- (9) Service providers including handling service providers and security service providers' Security Training Programme must be in accordance with the National Civil Aviation Security Training Programme. The delivery of training courses will be subjected to inspection and evaluation by the Authority.

Changed Conditions Affecting Aviation Security

26.

- (1) Where a security programme has been accepted under regulations 18 hereinafter referred to as an approved Security Programme, the airport or aerodrome operator, aircraft operator, air navigation service provider, cargo operator, catering operator, handling service provider or security service provider where applicable shall follow the procedures under sub-regulation (2), whenever he determines: -
 - a) in respect of an airport or aerodrome operator –
 - i. any description of the airport or aerodrome area set out in such Airport or Aerodrome Operator Security Programme is no longer accurate;
 - ii. there are changes to the designation of the Aircraft Operator and Airport or Aerodrome Security Manager.
 - b) any description of his operations set out in the security programme including related procedures, facilities and equipment described in such Airport or Aerodrome Operator Security programme which are no longer accurate or applicable.

- (2) Whenever a condition described in sub-regulation (1) occurs the airport or aerodrome operator, aircraft operator, air navigation service provider, cargo operator or regulated agent, catering operator or aviation service provider where applicable shall: -
- a) Immediately notify the Authority of the changed condition, and identify the interim measures which are being taken to maintain adequate security measures until approval is granted for an appropriate amendment to be made to approved Security Programme; and
 - b) Within thirty (30) days after notifying the Authority in accordance with sub-regulations (2)(a), submit for approval in accordance with regulation 27, an amendment to the Security Programme to bring it into compliance with these Regulations and the National Civil Aviation Security Programme.

Amendment of Stakeholders' Approved Security Programmes

27.

- (1) Where an airport or aerodrome operator, aircraft operator, cargo operator or regulated agent, or catering operator wishes to amend his approved Security Programme, he shall submit the request for such approval to the Authority at least thirty (30) days before the proposed effective date of intended implementation of the amended approved Security Programme.
- (2) When the Director General is satisfied that the proposed amendment to the Security Programme provides the level of security required by these Regulations, he may approve the amendment or amended Security Programme.

Amendment of Approved Security Programme by the Authority

28.

- (1) The Director General may recommend that the Authority require an airport or aerodrome operator, aircraft operator, regulated agent or catering operator to amend his approved Security Programme, where he determines that security, safety and the public's interest requires the amendment.
- (2) Except in an emergency as provided in sub-regulation (5), where the Authority requires an airport or aerodrome operator, aircraft operator, regulated agent or catering operator to amend his approved Security Programme under sub-regulation (1), the Director General shall notify the airport or aerodrome operator, aircraft operator, regulated agent or catering operator in writing of the required amendment and allow for a period of up to thirty (30) days from the date contained in the notice, for a written response from such airport or aerodrome operator, aircraft operator, regulated agent or catering operator.

- (3) Upon receipt of a notice of a proposed amendment under sub-regulation (2), the airport or aerodrome operator, aircraft operator, regulated agent or catering operator may submit an alternative amendment to his approved Security Programme which meets the intent of the required amendment under sub-regulation (2), for consideration by the Director General.
- (4) When the Director General is satisfied that the alternative amendment submitted under sub-regulation (3), would provide an overall level of security equal to that required by the Authority, he may approve the alternative amendment to the approved Security Programme.
- (5) Where the Director General determines that an emergency exists which requires immediate action that makes the procedure in sub-regulations (2) and (3), impracticable or contrary to the security, safety and the public interest, he may direct the airport or aerodrome operator, aircraft operator, regulated agent or catering operator to deviate in a specified manner from his approved security programme in the area of concern, for a specified period.

PART IV – AIRPORT OR AERODROME SECURITY

Airport or Aerodrome Operator Responsibilities

29.

- (1) An airport or aerodrome operator shall ensure that airport or aerodrome design requirements including architectural and infrastructure related requirements necessary for the implementation of security measures in the National Civil Aviation Security Programme are integrated into the design and construction of new facilities and alteration to existing facilities at his airport or aerodrome.
- (2) An airport or aerodrome operator shall, prior to the implementation of any new construction, renovation and expansion works to an aerodrome or the construction of additional aerodrome facilities at the same location, submit to the Authority for review and approval, the plans, drawings, proposals and relevant documents including architectural and infrastructure-related designs, and the security measures and considerations which are to be integrated into the plans, designs and works to safeguard civil aviation against acts of unlawful interference which may arise.
- (3) Where a national or foreign aircraft operator uses the facilities of an airport or aerodrome in Guyana and operates services into the State of Registry or the State of Operator, and the appropriate foreign Authority of that State, requests permission to conduct an inspection of the security measures in place at the airport or aerodrome in Guyana, the Director General may, in coordination with the airport or aerodrome operator, approve of an inspection to be conducted by the appropriate foreign Authority to be able to assess the adequacy of the security measures implemented at the said airport or aerodrome.

- (4) Further to sub-regulations (3), airport or aerodrome operators and national or foreign aircraft operator must cooperate with the appropriate foreign Authority as required by the Director General.
- (5) Where a national aircraft operator, or foreign aircraft operator operating from Guyana as the case may be, operates services into another State, or the State of Operation, the Authority may request permission from the appropriate Authority for Aviation Security of that foreign State, to conduct an inspection in order to assess the adequacy of the security measures in place governing the activities of that national or foreign aircraft operator's operations in that State.
- (6) Further to sub-regulations (5), national or foreign aircraft operators must cooperate with the Authority's request for permission to conduct an inspection as required by these regulations and the Director General.

Airport or Aerodrome Security Service

30.

- (1) Airport or aerodrome operators may provide security services at an airport or aerodrome; however, an airport or aerodrome operators shall not, at the same time, provide security services to an airline or aircraft operator unless approval is granted by the Authority.
- (2) Subject to sub-regulations (1), a clear separation of the tiers of airport security and airline or aircraft operator security must be maintained at all times.

Aviation Security Officers and Aviation Screening Officers

31.

- (1) An airport or aerodrome operator shall provide aviation security officers and aviation security screening officers, in the number and in a manner adequate to support: -
 - a) The Airport or Aerodrome Operator Security Programme; and
 - b) Each passenger screening system required under these Regulations.
- (2) An airport or aerodrome operator shall ensure that an aviation security officer or aviation security screening officer employed by him: -
 - a) Abstains from the consumption of alcoholic beverages or psychotropic substances while assigned to duty; and
 - b) Is readily identifiable by uniform and displays or carries a badge or other identification of his authority while assigned to duty; and

- c) Has completed a training programme that meets the requirements of the National Civil Aviation Security Training Programme.
- (3) An airport or aerodrome operator shall ensure that an aviation security officer employed by him conducts security duties in accordance with the applicable provisions of these Regulations, the National Civil Aviation Security Programme and the airport or aerodrome operator security programme.
- (4) Any person at an airport who obstructs, insults, intimidates, or performs any act of violence against an aviation security officer or aviation security screening officer, while that officer is on duty at an airport, commits an offence and shall be liable on summary conviction to fine of five hundred thousand dollars (G\$500,000.00) or imprisonment for three months.
- (5) The training programme required by sub-regulation (2), c), shall provide training in the subjects specified in sub-regulation (6) and meet the training standards for members of Airport Security Officers.
- (6) An airport or aerodrome operator shall ensure that an aviation security screening officer employed by him: –
- a) Meets the basic selection criteria and qualification for performing aviation security screening duties as outlined in the National Civil Aviation Security Programme and National Civil Aviation Security Screener Certification Programme prior to being assigned to conduct the aviation security screening duties;
 - b) Meets the training standards required for aviation security screening officers established by the Authority; and
 - c) Is not assigned to perform any aviation security screening functions until properly trained, examined, tested and certified.
- (7) Subject to sub-regulations (1) a), security personnel found under the influence of alcoholic beverages or psychotropic substances while on duty, shall be reprimanded, and appropriate disciplinary actions must be taken in accordance with local the labour laws of Guyana.

Employer Responsibility for Aviation Security Officers and Screening Officers

32.

- (1) An airport or aerodrome operator shall not employ any person as an aviation security officer or aviation security screening officer unless: -
- a) Such person meets the requirements of these Regulations and the National Civil Aviation Security Programme.

- b) Such person has been trained in accordance with the requirements of these Regulations, the National Civil Aviation Security Training Programme, and the National Civil Aviation Security Screeners Certification Programme where his duties are in respect to screening of passengers, crew, checked baggage, cabin baggage, cargo and mail.

Requirement to Screen Carry-on Baggage, Goods and Vehicle

33.

- (1) An Aviation Security Screening Officer employed by an airport or aerodrome operator shall require each person entering or leaving a security-restricted area to have his carry-on baggage and any hand-carried items screened or inspected by an appropriate means or method which may include physical search or X-ray screening or the use of other screening technology.
- (2) An Aviation Security Officer shall require each person entering and leaving a restricted area to have his hand-carried items, goods and vehicle screened or inspected by an appropriate means or method which may include physical search or X-ray screening or the use of other screening technology.

Refusal of Screening

34.

- (1) Where, after entering a restricted area, security restricted area, or sterile area, a person who is required by an aviation security officer or aviation security screening officer, to submit to screening of his person, baggage, goods, vehicle or means of conveyance refuses such a search, the aviation security officer or aviation security screening officer shall order such person to leave the restricted area or security restricted area and remove the goods, vehicle or means of conveyance in his possession from the security restricted area.
- (2) Where, after having boarded an aircraft, a passenger is required by an aviation security officer, aviation security screening officer, or law enforcement officer to submit to the screening of his person, or of the goods, baggage or cargo that he carried or had placed on board the aircraft and he refuses such a screening, the aviation security officer or aviation security screening officer shall order such person to disembark the aircraft and remove the carry-on baggage, cargo, goods or checked baggage of such person.
- (3) Subject to sub-regulations (1), where a person refuses to leave the restricted area or security restricted area, and remove the goods, vehicle or means of conveyance in his possession, that person has committed an offence and shall be liable to a fine of up to five hundred thousand dollars (\$500,000.00).
- (4) Subject to sub-regulations (2), where a passenger after having boarded an aircraft, refuses to be screened or searched, and subsequently refuses to disembark the aircraft and remove

his carry-on baggage when asked to do so by the cabin crew or security officers, that person has committed an offence and shall be liable to a fine of up to seven hundred thousand dollars (\$700,000.00) and two month imprisonment upon summary conviction.

Unaccompanied Goods and Baggage

35.

Where goods or baggage are received at an airport or aerodrome for transport on an aircraft and such goods or baggage are not accompanied by a person who may give the permission to screen such goods or baggage, an aviation security officer or aviation security screening officer, may carry out an authorized search of the goods or baggage in the presence of the aircraft operator concerned, cargo operator and in carrying out that search may use such force as may be reasonably necessary to gain access to the goods or baggage.

Security Incidents

36.

- (1) An airport or aerodrome operator, aircraft operator, aerodrome tenant, catering operator, cargo operator shall immediately notify an aviation security officer or aviation security screening officer, when there is: -
 - a) The discovery of an unauthorized firearm other than an unloaded firearm allowed under the security programme of an aircraft operator;
 - b) The discovery, at the airport or aerodrome, or on board an aircraft, of an explosive device or substance or an incendiary device or a suspected explosive device or suspected incendiary device;
 - c) Refusal by a person to submit to the security screening required under these Regulations;
 - d) Refusal by a person to remove himself and his goods from a restricted area when so ordered by an aviation security officer;
 - e) A report of unattended baggage, and unidentified baggage located in his area of responsibility;
 - f) A report of suspicious packages, baggage, articles or goods in his area of responsibility;
 - g) A specific threat against the airport or aerodrome comes to his attention.
- (2) An airport or aerodrome operator shall immediately investigate any of the reported security incidents set out in sub-regulation (1) and coordinate with law enforcement to take

immediate and appropriate actions to mitigate the possible threat; and after resolution, provide a written report of the incident to the Authority.

- (3) An airport or aerodrome operator shall not assign, let or rent any area in the defined sterile area to any person other than an aircraft operator, service provider or person that provides direct support to aircraft operation.

Sensitive Security Information

37.

- (1) A person shall not divulge documented or undocumented sensitive security information in respect of security measures to any persons which is in effect at an airport or aerodrome, aircraft operator, cargo or catering company, or an air navigation service provider without the written consent or permission of that entity.
- (5) Subject to sub-regulations (1), where it is proven that a person has divulged documented or undocumented sensitive security information in respect of security measures to any persons which is in effect at an airport or aerodrome, aircraft operator, cargo or catering company, or an air navigation service provider without the written consent or permission of that entity, that person has committed an offence and shall be liable to a fine of up to seven hundred thousand dollars (\$700,000.00) and two month imprisonment upon summary conviction.

False Statements, Entries or Unauthorized Reproduction

38.

- (1) A person shall not make, or cause to be made, any of the following:
 - a) a fraudulent or intentionally false statement in any aviation document, airport or aerodrome Operator Security Programme or an application for any aviation document, security programme, access medium, or identification medium;
 - b) a fraudulent or intentionally false entry in any record or report that is kept, made or used to show compliance with any part of these regulations or exercise any privileges under any part of these regulations; and
 - c) a reproduction or alteration of any report, record, security programme, access medium or identification medium issued under these regulations without the approval of the airport or aerodrome operator.
- (2) Any person, entity or company who fails to comply with sub-regulation (1) is liable to a fine of five hundred thousand dollars (G\$500,000.00) or a summary conviction of up to two (2) months in jail.

Access Control System

39.

- (1) An airport or aerodrome operator shall ensure that the location and function of security restricted areas at the airport or aerodrome are clearly designated and properly defined; and must be protected through a combination of physical protective measures, human resources, and the use of technological systems including cameras, video recordings, storage devices and systems, and motion detection sensors, to prevent unauthorized access.
- (2) The areas identified in sub-regulation (1) shall be clearly identified using appropriate signs that are strategically located at the airport or aerodrome and prominently displayed.
- (3) The level of access to a security restricted or sterile area shall be clearly defined and made known to all persons at the airport or aerodrome whose duties require them to have security restricted or sterile areas access.
- (4) Security restricted areas must be kept separated from public access or non-security restricted areas by an appropriate physical barrier that shall be inspected at regular intervals.
- (5) An airport or aerodrome operator shall ensure that its Approved Airport or Aerodrome Operator Security Programme provides details of a system, method and procedure which shall address all applicable security measures outline in the National Civil Aviation Security Programme.
- (6) The system under sub-regulation (5), shall provide a means to differentiate between persons authorized to have access to only a particular portion of the secured areas on a frequent or infrequent basis; and persons authorized to have access only to other portions or to the entire secured area on a frequent or infrequent basis, and shall be capable of limiting the access of an individual by time and date.
- (7) An airport or aerodrome operator shall ensure that approved standard operating procedures are created and made available to all security departments and access control points to provide a guide for security personnel to execute their security function.
- (8) The standard operating procedures referred to in sub-regulations (7) shall be included as an appendix in the Airport or Aerodrome Security Programme and submitted to the Authority for review and approval.
- (9) An airport or aerodrome operator shall ensure that the security restricted areas are protected in accordance with the applicable requirements outlined in the National Civil Aviation Security Programme.

- (10) An airport or aerodrome operator shall ensure that security personnel carrying out duties and functions at the access control points, security screening checkpoints, or when conducting vehicle or foot patrolling:
- a) are appropriately trained, equipped and issued with the necessary tools to respond rapidly and effectively to incidents, threats, and acts of unlawful interference perpetrated against the airport, security personnel or civil aviation operations.
 - b) are provided with radio communication equipment or devices to facilitate communication and response to incidents and threats or acts of unlawful interference.
- (11) An airport or aerodrome operator shall ensure that:
- a) systems are implemented to monitor and account for items, sharp objects and tools which are used in the security restricted areas by persons or entities granted access to security restricted areas to carry out construction or improvement works or to perform maintenance duties.
 - b) clear instructions are developed and implemented for the escorting of persons issued with temporary passes, including persons or companies contracted to carry out construction or improvement works, or to perform maintenance duties in the security restricted areas of the airport.
- (12) An airport or aerodrome operator shall inform and consult with the Authority when planning to expand or modify any part of the security restricted areas to improve airport and aircraft operations.

Airport or Aerodrome Identification Media System

40.

- (1) An airport or aerodrome operator shall ensure that access to security restricted areas or sterile areas of the aerodrome or airport is controlled by the use of a security restricted area permit system or an identification media system that in accordance the specifications and procedures outlined in the National Civil Aviation Security Programme.
- (2) An airport or aerodrome operator shall not issue to a person, a permit or an identification medium that allows unescorted access privileges to a restricted or security restricted area unless: –
- a) a background check has been completed that include a person's identity, verification of previous work experience and criminal history: –

- i. for every employee or potential employee of any organization involved in implementing aviation security measures; and
 - ii. when determining suitability of an individual for unescorted access to airside or security restricted areas; and
 - b) the person has successfully completed training and awareness training where applicable in accordance with a curriculum specified in his approved Aerodrome or Airport Operator Security Programme.
- (3) A restricted area permit shall not be issued if, during the performance of a background check, it is determined that the applicant was convicted of: –
- a) A criminal offence under the Laws of Guyana, trafficking in weapons or the illegal possession of weapons, assault, extortion, acts endangering public safety including acts of unlawful interference against civil aviation, sexually related offences or membership in a criminal organization, unless in an exceptional circumstance, the Minister responsible for Public Security determines that such a person has been fully rehabilitated and therefore no longer constitutes a risk; and
 - b) other offences such as burglary, fencing of stolen goods, embezzlement, fraud and fraudulent misrepresentation, without making restitution.
- (4) An airport or aerodrome operator shall be fully satisfied of the applicant's suitability as a holder before issuing a permit.
- (5) Any person issued with an airport or aerodrome identification medium must ensure that their face remains visible at all times when in a security restricted or sterile area of the airport or aerodrome.
- (6) All employers of the companies and organizations operating at the airport have to complete adequate pre-employment checks or other inquiries to ensure that their employees concerned does not pose a potential threat to the airport and to civil aviation before applying for employee restricted area permits.
- (7) Background checks referred to in sub-regulation (2) shall be conducted on a regular basis in accordance with the National Civil Aviation Security Programme and the approved Airport or Aerodrome Operator Security Programme.

Unrestricted Access to Aerodromes

41.

Notwithstanding the requirements under Regulations 39 and 40, the Director General and Inspectors designated by him to conduct regulatory oversight shall have unimpeded, unrestricted and uninterrupted access to all areas of an airport or aerodrome for the purposes of performing their duty under the authority of a credentials, or approval issued by the Authority for that purpose.

Maintaining Records

42.

- (1) An airport or aerodrome operator shall ensure that a detailed record is kept of every security incident that occurred at his airport or aerodrome.
- (2) A record required to be kept under sub-regulation (1), shall: -
 - a) be kept for a minimum period of 10 years, or for such period that may be directed by the Authority;
 - b) be made available to the Authority upon request; and
 - c) include the number: -
 - i. and type of weapons and incendiary devices discovered during any passenger screening process and the method of detection of each;
 - ii. of acts, threats and attempted acts of air piracy, hijacking, unruly or disruptive passengers and events, and other acts of unlawful interference;
 - iii. of bomb threats received, real and simulated bombs found and actual bombings at the airport or aerodrome; and
 - iv. of detentions and arrests and the immediate disposition of each person detained or arrested.

Evidence of Compliance

43.

On request of the Director General, an airport or aerodrome operator shall provide evidence of compliance with this Part and his approved Airport or Aerodrome Operator Security Programme.

Measures in event of Specific Threat at Airport or Aerodrome

44.

- (1) Where an airport or aerodrome operator determines that a specific threat that jeopardizes the security of his airport or aerodrome exists, he shall immediately take all the measures necessary to ensure the safety of the airport or aerodrome and persons at the airport or

aerodrome, including informing the Guyana Police Force and the Authority of the nature of the threat.

- (2) Where under sub-regulation (1) an airport or aerodrome operator: –
- a) implements measures, the airport or aerodrome operator shall notify the Authority as soon as practicable; or
 - b) proposes to implement measures, the airport or aerodrome operator shall endeavor to notify the Authority of those measures prior its implementation and shall specify the time period for which the measures will be implemented.
- (3) An airport or aerodrome operator shall immediately inform the Authority on receipt of a bomb threat or any other threat that jeopardizes the safety of an aircraft which is at his airport or aerodrome; or which is en-route to his airport or aerodrome.

Obligation of Airport or Aerodrome Operator in Addressing Threats

45.

An airport or operator aerodrome who is made aware of a threat against the facility or any part of the airport or aerodrome that is under the control of a person carrying on any activity at the owner's airport or aerodrome, other than the airport or aerodrome operator, he shall immediately: -

- a) notify the person of the nature of the threat; and
- b) determine whether there is a specific threat that can jeopardize the security of the aerodrome or airport and of civil aviation.

Discovery of Weapons, Incendiary Devices or Explosives at Aerodrome

46.

- (1) An airport operator or aerodrome shall immediately notify the Guyana Police Force and the Authority when there is: -
- a) the discovery, at the airport or aerodrome, of a weapon, other than an unloaded firearm allowed under regulations 53 and 72;
 - b) the discovery, at the airport or aerodrome, of an explosive substance or device or an incendiary device, other than an explosive substance or device or incendiary device allowed under the Act or regulations made thereunder;
 - c) an explosion at the airport or aerodrome, unless the explosion is known to be the result of an excavation, a demolition, construction or the use of fireworks displays; or a specific threat against the airport or aerodrome.

- (2) An airport or aerodrome operator shall ensure that arrangements are made to investigate, render safe or dispose of, where necessary, suspected explosive or incendiary devices or other potential hazards at his airport or aerodrome.

Aerodrome Operator to keep Map of Aerodrome

47.

An airport or aerodrome operator shall keep at the airport or aerodrome a current map to scale of the airport or aerodrome that identifies the controlled areas, restricted areas, security restricted and sterile areas, security barriers and restricted area access points and sterile area access points.

PART V - SCREENING OF PERSONS AND ITEMS CARRIED

Authority for Screening

48.

- (1) The Director General may issue an approval letter for the certification of persons who are authorized carry out screening duties and functions at an airport, for an aircraft operator, or cargo or catering operator or to those stakeholders which the Regulations apply.
- (2) All security screeners employed by the airport or aerodrome operators, airline or aircraft operators, catering, cargo and mail operators, or any aviation entities or organizations to carry out security-related duties must possess and demonstrate the necessary competencies to perform their assigned functions through a certification process approved by the Authority.
- (3) Subject to sub-regulations (2), airport or aerodrome operators, airline or aircraft operators, catering, cargo and mail operators, or aviation entities or organizations must ensure that all security screeners employed to carry out security-related duties and functions are certified in accordance with the National Civil Aviation Security Training Programme and the National Civil Aviation Security Screeners Certification Programme.
- (4) Subject to sub-regulations (1) and (2) the Authority shall issue a letter of approval for each security screeners providing that they would have successfully completed the certification process and granted recognition by the Authority.

Requirement for Screening

49.

- (1) Every person entering a restricted area, or a security restricted area at any airport or aerodrome as specified within the airport or aerodrome security programme, is required to be screened, including any carry-on baggage, cargo, goods or other articles in their possession.
- (2) An organization approved by the Authority to carry out screening functions must not permit a screening officer to conduct an authorized search on its behalf unless the screening officer meets the minimum standards set out by the Authority in the National Civil Aviation Security Programme and the National Civil Aviation Security Screeners Certification Programme.
- (3) An aircraft operator shall not transport a person or goods that must be screened in accordance with sub-regulation (1), unless the person or goods have been screened in accordance with that regulation.
- (4) A person who must be screened under sub-regulation (1) must not circumvent a screening of their person, baggage or goods or other things in their possession or control or a vehicle under their care or control or assist another person who must be screened in circumventing a screening of that person or goods or other things in that person's possession or control or a vehicle under that person's care or control.
- (5) Subject to sub-regulation (4), a person commits an offence who circumvent screening of their person, baggage or goods or other things in their possession or control or a vehicle under their care or control or assist another person who must be screened in circumventing a screening of that person or goods or other things in that person's possession or control or a vehicle under that person's care or control and, is liable to a fine of up to five hundred thousand dollars (G\$500,000.00) or a summary conviction of up to (3) months in jail.
- (6) A person who is at an airport or aerodrome or on board an aircraft must not falsely declare that:
 - a) they are carrying a weapon, an explosive substance, an incendiary device or other dangerous item that could be used to jeopardize the security of an airport or aircraft or that such an item is contained in goods or other things in their possession or control or in a vehicle under their care or control that they have tendered or are tendering for screening or transportation; or
 - b) another person who is at the airport or on board an aircraft is carrying a weapon, an explosive substance, an incendiary device or other dangerous item that could be used

to jeopardize the security of an airport or aircraft or that such an item is contained in goods or other things in that person's possession or control or in a vehicle under their care or control and is being tendered or has been tendered for screening or transportation.

- (7) Subject to sub-regulation (6), a) and b), a person commits an offence who falsely declare that they are, or another person is carrying a weapon, an explosive substance, an incendiary device or other dangerous item that could be used to jeopardize the security of an airport or aircraft or that such an item is contained in goods or other things in their possession or control or in a vehicle under their care or control that they have tendered or are tendering for screening or transportation, is liable to a fine of up to one million dollars (G\$1,000,000.00) or a summary conviction of up to three (3) months in jail.
- (8) Notwithstanding sub-regulation (1), the Authority may, in writing, approve of an exemption list to exempt persons deemed appropriate from the requirements to be screened. Any exemption made under this regulation shall be promulgated in the appropriate airport or aerodrome security programme.
- (9) Subject to regulation 49 (1), any person who refuses to allow themselves and their carry-on baggage, goods or other articles in their possession to be screened will be denied access to the restricted area, or security restricted area.

Discovery of Prohibited Items

50.

- (1) A person authorized to conduct screening activities shall immediately notify the appropriate aircraft operator, airport or aerodrome operator, the Airport Police, the Guyana Police Force and the Authority when any of the following is detected at a security restricted area access or at a control point where screening is conducted of persons and carry-on baggage and other articles in their possession or control of persons who are being or have been screened:
- a) a weapon, other than a weapon allowed under regulations 31 (4);
 - b) an explosive device or substance, other than:
 - i. ammunition carried by a person allowed to carry or have access to a weapon or firearm under 31 (4), or
 - ii. a hazardous substance allowed under these regulations and packed in accordance with dangerous goods requirements;
 - c) an incendiary device, other than an incendiary device allowed under these regulations and packed in accordance with dangerous goods requirements.

(2) A person authorized to conduct screening activities shall immediately notify the appropriate aircraft operator, the airport or aerodrome operator, the Airport Police, the Guyana Police Force and the Authority when any of the following is detected in checked baggage:

- (1) a loaded firearm; or ammunition
- (2) an explosive device or substance, other than ammunition; or
- (3) an incendiary device.

PART VI - AIRCRAFT OPERATOR SECURITY

Requirement of Aircraft Operator Security Programme

51.

(1) An aircraft operator having an approved Aircraft Operator Security Programme shall: -

- a) submit for retention a complete copy of his approved Aircraft Operator Security Programme with the Authority;
- b) maintain one complete copy of his approved Aircraft Operator Security Programme at his principal business office;
- c) maintain a complete copy or the pertinent portions of his approved Aircraft Operator Security Programme at each airport or aerodrome where security screening and other security measures are being implemented;
- d) make the documents under sub-regulations (1), (a) and (b), available for inspection upon request by the Authority's Aviation Security Inspectors; and
- e) restrict the distribution, disclosure, and availability of sensitive security information and his approved Aircraft Operator Security Programme only to persons who by their defined roles and responsibilities in the security programme are required to have such information for the performance of their duties and functions.

Prevention and Management of Hijackings and Sabotage Attempts

52.

(1) An aircraft operator shall: -

- a) assign an appropriately qualified and trained person as a Ground Security Coordinator to coordinate the ground security duties specified in his approved Aircraft Operator Security Programme;

- b) designate the Pilot-in-Command as the In-flight Security Coordinator for each flight, as required by his approved Aircraft Operator Security Programme to co-ordinate activities in response to threats of acts of unlawful interference;
- c) conduct an aircraft security search of the interior and exterior of aircraft for the purpose of discovering suspicious objects, weapons, explosives, incendiary devices, or other dangerous devices, articles or substances prior to the boarding of passengers and the loading of baggage, cargo, mail, stores and catering;
- d) conduct an aircraft security check of the interior and exterior of aircraft to which passengers may have had access and conduct an inspection of the hold in order to discover suspicious objects, weapons, explosives incendiary devices, or other dangerous devices, articles or substances;
- e) take the necessary measures to ensure that passengers disembarking from an aircraft at any time do not leave any items on board;
- f) ensure that the aircraft subjected to security measures referred to in sub-regulation (1) c) and d) are protected from unauthorized interference from the time the search or check has commenced until the aircraft departs;
- g) ensure that appropriate measures are taken during flight to prevent unauthorized persons from entering the flight crew compartment;
- h) ensure that the aircraft security search or check referred to in sub-regulation (1) c) and d) are documented on a checklist, a copy of which must be presented to the Pilot-in-Command and to Inspectors of the Authority when required;
- i) develop the checklist referred to sub-regulation (1) h) in accordance with the guidance established in the National Civil Aviation Security Programme and in the International Civil Aviation Organization's Security Manual for Safeguarding Civil Aviation against Acts of Unlawful Interference, Document 8973;
- j) ensure that only items of hold baggage which have been individually identified as accompanied or unaccompanied, using a verifiable tracking system and authorized for carriage on that flight are accepted for carriage on the specific flight;
- k) verify the identity of each passenger by examining their travel documents, at the point of check-in and at the time of boarding the aircraft;
- l) ensure that security controls are applied to an aircraft when the aircraft is not in the security restricted area to prevent unauthorized access;

- m) ensure that all items of hold baggage under sub-regulation (1) j) are screened;
 - n) ensure that passengers and cabin baggage which have been screened are protected from unauthorized interference from the point of screening until they board the aircraft;
 - o) ensure that where mixing or contact take place, with passengers and their cabin baggage that the passengers concerned, and their cabin baggage must be re-screened before boarding the aircraft; and
 - p) ensure that measures are implemented to deal with unidentified baggage in accordance with the approved aircraft operator, or airport or aerodrome operator security programme from which he operates.
 - q) require each passenger to confirm or verify during the check-in process whether the hold baggage presented for acceptance for transport belongs to him.
 - r) require each passenger to confirm or verify during the check-in process whether the contents of their hold baggage and hand luggage were packed by him and maintained under his care and supervision.
 - s) require each passenger to confirm or verify during the check-in process whether they are aware of the items which are prohibited from being transported in checked baggage and hand luggage or carry-on bags.
- (2) Notwithstanding the measures required under sub-regulation (1), in applying security measures for the prevention and management of hijackings and sabotage attempts under this regulation, an aircraft operator or the airport or aerodrome operator shall ensure that the security measures set out in Schedule 7 and other measures prescribed in the National Civil Aviation Security Programme, and by the Authority from time to time, are applied in the manner specified.
- (3) An aircraft operator shall, where directed by the Director General, permit and facilitate the carriage of an inflight security officer on specific flights to prevent: -
- a) unauthorized persons from gaining access to the flight deck; and
 - b) hijackings and other criminal acts on board the aircraft.
- (4) An in-flight security officer under this section, where required to be on board a flight, shall:
-

- a) prevent unauthorized persons from gaining access to the flight deck and prevent hijackings and other criminal acts on board the aircraft; and
 - b) conduct a crew briefing prior to departure to ensure the flight crew and cabin crew understand his role on board the aircraft.
- (5) Subject to sub-regulation (1) q), r), s) where confirmations are not obtained from passengers, hold baggage must not be accepted for carriage by check-in agents and aircraft operators unless the passenger or owner of the baggage is present and answers the agent's questions or confirmations satisfactorily.
- (6) A person commits an offence of hijacking who by force or threat of force, or by any form of intimidation, unlawfully seizes, exercises control of or commandeers or attempts to unlawfully seize, exercise control or commandeer an aircraft on the ground in Guyana or while the aircraft is airborne whether in or out of Guyana's airspace.
- (7) A person commits an offence if he commits act of violence against a passenger or air crew member on an aircraft and which is likely to endanger the safety of the aircraft whether being flown in or outside of Guyana's airspace.
- (8) A person who commits an offence under sub-regulations (6) and (7) is liable on conviction on indictment to a fine of five million dollars and to imprisonment for life.

Carriage of Firearms

53.

- (1) An aircraft operator required to conduct screening under an approved Aircraft Operator Security Programme shall not permit any person to have on or about his person or property, a weapon, concealed or unconcealed, accessible to him while on board an aircraft.
- (2) Sub-regulation (1) shall not apply to an in-flight security officer required to be on board under regulation 52.
- (3) A person shall not, while on board an aircraft operated by an aircraft operator, carry on or about his person, a weapon, either concealed or unconcealed.
- (4) An aircraft operator shall not knowingly permit any person to transport, nor shall any person transport or tender for transport, a weapon, incendiary device or loaded firearm on his person or in carry-on in the cabin of an aircraft.
- (5) For the purpose of this regulation, a loaded firearm means a firearm, which has inserted in it a live round of ammunition, cartridge, detonator or powder in the chamber or in a clip, magazine or cylinder.

- (6) An aircraft operator shall not knowingly permit any person to transport, nor may any person transport or tender for transport, any firearm in checked baggage on board an aircraft unless: -
- a) such person declares to the aircraft operator or his representative, either orally, in writing, or by presenting his firearm license and other documents, before tendering the baggage for the purpose of being checked in, that he has a firearm carried in his checked baggage and that it is unloaded;
 - b) a suitably qualified and trained person verify that the firearm is unloaded;
 - c) the firearm is transported in an appropriate hard container or case and is locked to prevent unauthorized access;
 - d) the checked baggage or container containing the firearm is loaded on the aircraft in an area that is inaccessible to passengers; and
 - e) such person presents: –
 - i. a license for the firearm from the State that permitted him to have in his possession the firearm;
 - ii. an export license for the firearm from the State of departure; and
 - iii. an import license for the firearm to the State of destination;
 - iv. any other document which may be required by law.
- (7) Where a firearm is to be transported in checked baggage but is not secured in such checked baggage, it shall be carried in the hold of the aircraft, in a container that the aircraft operator considers appropriate for air transportation.
- (8) Where an aircraft operator is granted approval by the Authority to transport unloaded firearms in the hold of his aircraft, the aircraft operator shall notify all passengers in writing or by placing appropriate signage at the point of check-in, relating to the declaration and transportation of firearms.

Security Threats and Procedures

54.

- (1) Where an aircraft operator determines that there is a specific threat which jeopardizes the security of an aircraft on the ground or in flight, he shall immediately take all measures necessary to ensure the safety of the aircraft, passengers and crew on board such aircraft, including: -

- a) informing the pilot-in-command, the crew members assigned to the aircraft or flight, the airport or aerodrome operator, air traffic control or air navigation service provider, and the appropriate security response agency of the nature of the threat;
 - b) where the aircraft is on the ground, moving such aircraft to a place of safety such as an isolated aircraft parking position at the airport or aerodrome according to the directions of the airport or aerodrome operator; and
 - c) an aircraft security search or check as necessitated by the nature of the threat and screening of the passengers, baggage, cargo and goods on board the aircraft, unless the aircraft search or check and screening is likely to jeopardize the safety of the passengers and crew members.
- (2) Where the aircraft, under sub-regulation (1), is on the ground, the Pilot-in-Command shall comply with any direction given by the airport or aerodrome operator under sub-regulation 1(a), or a member of the appropriate protective service, unless complying with such direction is likely to jeopardize the safety of the passengers and crew members.
- (3) Upon receiving information that an act or suspected act of unlawful interference has been committed, the aircraft operator shall immediately notify the Authority.
- (4) Where an aircraft operator determines that there is a specific threat which jeopardizes the security of a facility or part of an airport or aerodrome under his control, he shall immediately take all of the measures necessary to ensure the safety of the facility or part of the airport or aerodrome and persons at the facility airport or aerodrome or, including informing the airport or aerodrome operator and the appropriate security response agency or protective service of such threat.
- (5) Where the aircraft under sub-regulation (3), is in airspace within the jurisdiction of a State other than Guyana, the aircraft operator shall also notify the appropriate authority of the State in whose territory the aircraft is located and, if the aircraft is in flight, the appropriate authority of the State in whose territory the aircraft is to land.
- (6) Upon receipt of a bomb threat against a specific aircraft, each aircraft operator shall attempt to determine whether or not any explosive or incendiary device is aboard the aircraft involved by doing the following:
- a) conducting an aircraft security search on the ground before the next flight or where the aircraft is in flight, immediately after its next landing;
 - b) where the aircraft is being operated on the ground, advising the Pilot-in-Command to immediately submit the aircraft for an aircraft security search; and

- c) where the aircraft is in flight, immediately advising the Pilot-in-Command of all pertinent information available so that necessary emergency action can be taken.
- d) Immediately notify the appropriate air traffic control authority of the nature of the threat.

Reporting of Security Incidents

55.

- (1) An aircraft operator or airport or aerodrome operator shall immediately notify the Authority when there is: -
 - a) a hijacking or attempted hijacking of an aircraft;
 - b) the discovery, on board an aircraft, of a weapon, other than an unloaded firearm allowed under regulations 52 (6);
 - c) the discovery, on board an aircraft, of an explosive device or substance or an incendiary device, other than an explosive substance or incendiary device allowed on board the aircraft under the Act or regulations made thereunder;
 - d) an explosion on an aircraft; or
 - e) a specific threat against an aircraft, a flight or a facility or part of an airport or aerodrome under its control.
- (2) An aircraft operator shall immediately notify the airport or aerodrome operator and the authority when a weapon other than a firearm allowed under regulations 52 or 31, is detected in any part of the airport or aerodrome under its control.
- (3) An aircraft operator shall immediately notify the airport or aerodrome operator and the Authority when a weapon or other dangerous devices, articles or substances which may be used to commit an act of unlawful interference is discovered in any area beyond a screening checkpoint or within the security restricted area.

Person Authorized to Conduct Screening Activities

56.

- (1) A person authorized to conduct screening activities shall immediately notify the appropriate aircraft operator, airport or aerodrome operator, airport security, the Guyana Police Force and the Authority when any of the following is detected at a restricted area access control point or within a security restricted area where screening is conducted of persons and carry-on baggage and other articles in the possession or control of persons who are screened:

- a) a weapon, other than a weapon allowed under regulations 52 (6);
 - b) an explosive substance, other than: -
 - i. ammunition carried by a person allowed to carry or have access to a weapon or firearm under regulations 31 (4);
 - ii. an explosive substance allowed under the Act or regulations made thereunder; or
 - c) an incendiary device, other than an incendiary device allowed under the Act or regulations made thereunder.
- (2) A person authorized to conduct screening activities shall immediately notify the appropriate aircraft operator, the airport or aerodrome operator, the regulated agent, the catering operator, airport security, the Guyana Police Force and the Authority when any of the following is detected in checked baggage: -
- a) a loaded firearm;
 - b) an explosive substance, other than ammunition; or
 - c) an explosive or incendiary device.

Provision of Information on Security Operations by Service Providers

57.

A person who provides handling, security or other services to an aircraft operator and a person who provides handling, security or other service related to the transportation of passengers, goods or cargo by air, shall provide to the Authority, on reasonable notice given by the Authority, written or electronic records or other information relevant to the security of the operations of the aircraft operator, including: -

- a) information concerning the method of implementing the security measures that apply to those persons under regulations 3;
- b) a description of the nature of the operations related to a particular flight and the services provided in respect of the flight;
- c) information concerning the aircraft, operational documents, flight plans, general declarations, passenger information, security declaration, and other documents related to cargo transport; and

- d) any other information related to aviation security.

Provision of Information on Security Operations by Screening Personnel

58.

A person authorized to perform screening on behalf of an aircraft, airport or aerodrome operator shall provide to the Authority, on reasonable notice given by the Authority, written or electronic records or other information relevant to the security of his screening operations, including -

- a) information concerning the method of implementing the security measures that apply to it under regulation 16;
- b) a description of the nature of the screening operations related to a particular flight or at a particular airport or aerodrome; and
- c) information including time logs, test logs, images, findings, incident times, and incident and other reports related to a flight, screening equipment, passengers, persons, baggage, cargo, catering, or vehicle.

Carriage of Passengers under Control of the Protective Services

59.

- (1) An aircraft operator required to conduct screening under an approved security programme may carry a passenger in the custody of a police officer or security officer (hereinafter called an escort officer) on board an aircraft.
- (2) The State agency requesting the carriage of a person subjected to judicial or administrative proceedings shall inform the aircraft operator prior to the departure date of the person, the nature of the escort, including the results of any risk assessment carried out to determine the number of escorts required, the use of restraining devices and any special boarding and disembarking requirements not required under this regulation.
- (3) An aircraft operator shall ensure that prior to departure: -
 - a) the escort officer, under sub-regulation (1), is equipped with adequate restraining devices to be used in the event that restraint of any passenger under his control becomes necessary;
 - b) each passenger under the control of the escort officer under sub-regulation (1), has been searched and does not have on or about his person or property anything that can be used as a weapon;
 - c) a passenger under the control of an escort officer, under this regulation, is: -

- i. boarded before any other passengers when boarding at the airport or aerodrome from which the flight originates and deplaned at the destination after all other deplaning passengers have deplaned;
 - ii. seated in the rear-most passenger seat when boarding at the aerodrome or airport from which the flight originates; and
 - iii. seated in a seat that is neither located in any lounge area nor located close to or directly across from any exit; and
- d) an escort officer and his escorted passengers shall be seated only in a row of two or more seats and at least one escort officer shall sit between the escorted passenger and any aisle.

(4) An aircraft operator operating an aircraft under sub-regulation (1), shall: -

- a) not serve food, beverage, or provide eating utensils made of metal to a passenger under the control of an escort officer while on board such aircraft;
- b) not serve an escort officer or the passenger under the control of the escort officer any alcoholic beverages while on board such aircraft; and
- c) ensure that the Pilot-in-Command and the cabin crew are informed of: -
 - i. the names and assigned seats of persons under escort and the names of the escorting officers; and
 - ii. the reason for the escort officers.

(5) An escort officer carried under the provisions of sub-regulation (1), shall, at all times, accompany the passenger under his control and keep the passenger under surveillance while on board the aircraft including visits to the lavatory.

(6) Where an escort officer is transported under this regulation, the aircraft operator shall ensure that such escort officer or any passenger under the control of such escort officer are not served and do not consume alcoholic beverages while on board the aircraft.

(7) This regulation shall not apply to the carriage of passengers under voluntary protective escort.

- (8) An aircraft operator shall not conduct a flight with a passenger on board who refuses to submit to a screening, required under these Regulations, or while the carry-on or checked baggage of such person is on board his aircraft.
- (9) A foreign aircraft operator shall not conduct a flight within Guyana with a passenger on board who refuses to submit to a screening, required under these Regulations or while the carry on or checked baggage of such person is on board his aircraft.
- (10) Where a Pilot-in-Command of an aircraft has reasonable grounds to believe that a person on board an aircraft is in violation of any regulation under this Part or is a potential risk to the security and safety of the passenger and crew on board the aircraft, he may order the person to disembark the aircraft.

PART VII - CARGO OPERATOR SECURITY

Security Controls over Cargo

60.

Aircraft operator must not accept consignments of cargo, courier and express parcels or mail for carriage on a passenger or a cargo flight unless the security of such consignments is accounted for by a cargo operator or a regulated agent that is approved by the Authority, or such consignments are subjected to other security controls, that are approved by the Authority, to safeguard the aircraft against an act of unlawful interference.

61.

Aviation Security Responsibilities of Cargo Operators

- (1) A cargo operator prior to accepting goods for transport in an aircraft shall: -
 - a) be granted approval to operate; and must be subject to an approval by the Authority.
 - b) obtain a letter of approval from the Authority to operate as a cargo company or as a regulated agent who accepts and prepares cargo for transport by applying appropriate security and controls as required by the National Civil Aviation Security Programme.
 - c) develop and implement a cargo operator security programme approved by the Authority to apply security controls to cargo, mail and other goods for the purposes of transport by national or international aircraft operators.
 - d) conduct screening of consignments to determine that they do not contain any weapons, explosives or other dangerous devices or substances, prior to them being carried on any aircraft.

- e) Comply with any other security measures stipulated in the National Civil Aviation Security Programme.

PART VIII - CATERING OPERATOR SECURITY

Aviation Security Responsibilities of a Catering Operator

62.

- (1) A catering operator prior to accepting raw materials and equipment for preparation as catering supplies for transport in an aircraft shall: -
 - a) obtain a letter of approval from the Authority to operate as a catering operator who accepts and prepares catering supplies for air operators by applying appropriate security and controls as required by the National Civil Aviation Security Programme;
 - b) obtain and implement a catering operator aviation security programme approved by the Authority to apply security controls to catering supplies for national or international aircraft operators;
 - c) establish and register the name and address of the supplier of such raw materials and equipment;
 - d) establish the credentials of the person who delivers the raw materials and equipment as an agent of the supplier of such raw materials and equipment;
 - e) ensure on the basis of security screening that such raw materials and equipment do not contain any prohibited items;
 - f) ensure the safeguarding of such raw materials and equipment from unauthorized interference after acceptance;
 - g) ensure the raw materials and equipment are received by staff who are properly recruited and trained;
 - h) designate a person to implement and supervise the screening process;
 - i) ensure that all catering stores and supplies are not carried by air unless they have been subjected to screening;
 - j) ensure that each shipment of catering stores and supplies be accompanied by documentation providing the statement of the security status of such shipment.

- (2) An approved catering operator who offers catering stores and supplies to an aircraft operator for use or transport by aircraft shall produce and make available to the aircraft operator, and the Authority on demand, shipping documents, records of raw materials, equipment, catering stores and supplies offered for air transport, employee training records and other accountable catering documents.

Responsibility of Aircraft Operator Receiving Stores and Supplies

63.

- (1) An aircraft operator accepting catering stores and supplies for transport on his aircraft: -
- a) may conduct screening of such shipments of catering stores and supplies; and
 - b) shall ensure: -
 - i. the safeguarding of such catering supplies and stores against unlawful interference from the point where security controls are applied until such catering supplies and stores have been placed in the aircraft;
 - ii. that his shipments of catering supplies and stores are recorded; and
 - iii. that whenever the catering supplies and stores are received such catering supplies and stores are delivered by an authorized employee of such catering operator.
- (2) An aircraft operator shall not accept any catering supplies and stores for transport by aircraft unless the documentation for such catering supplies and stores is examined for inconsistencies and it is accompanied by a Security Declaration.
- (3) An aircraft operator shall not accept any catering supplies and stores, from a catering operator, for transport by aircraft unless initially and within the preceding twelve months prior to accepting the catering supplies and stores, the aircraft operator: -
- a) has inspected facilities and procedures of such catering operator;
 - b) has issued a letter to the catering operator either accepting him or renewing his acceptance as a catering operator for the purposes of use or the transport of catering supplies and stores through the aircraft operator; and
 - c) assures the security of the catering supplies and stores in accordance with the procedures approved by the aircraft operator.

- (4) An aircraft operator shall make available to the Director General a report of any incident where a catering document or equivalent document did not provide an accurate record of the catering supplies and stores being offered for air transport.
- (5) An aircraft operator, except as provided in the Technical Instructions, shall not place in an aircraft any catering supplies and stores which are not acceptable.
- (6) An aircraft operator shall preserve for not less than one year any record of acceptance checklists and inspections carried out under this Part.

PART VIII - DOMESTIC OPERATIONS – GENERAL AVIATION & AERIAL WORKS

Requirements for Domestic, General, and Corporate Aviation

64.

- (1) The requirements in this part are specific to domestic aircraft used for commercial operation, general aviation, aerial work, corporate aviation, flight training and personal transportation.
- (2) Domestic aircraft operations, general aviation, corporate aviation, and aerial work shall comply with the security programme requirements set out under this part and the National Civil Aviation Security Programme.
- (3) In keeping with the National Civil Aviation Security Programme, security risk evaluations of domestic aircraft operations shall be conducted by Authority in collaboration with other national security agencies based on local conditions.
- (4) All domestic aircraft operations flown or operated for commercial purposes are required to submit a proposed Air Operator Security Programme for its operations to the Authority for its review, acceptance and approval.
- (5) All general aviation operations, aerial work, corporate aviation, flight training and personal transportation operating within Guyana or internationally are required to submit a proposed Aircraft Operator Security Programme for his operations to the Authority for its review, acceptance and approval.

Domestic Aerodrome and Operator Security Programme Requirements

65.

- (1) Where a person, under regulations 16 and 17 submits his Air Operator Security Programme as part of his application for: –
 - a) a domestic Air Operator Certificate or Aerial Work Certificate under the Civil Aviation Regulations and Requirements; he shall in addition to meeting the Regulations and

Requirements, meet the requirements of his Air Operator Security Programme and the requirements of the National Civil Aviation Security Programme.

b) An Air Operator Security Programme shall also contain:

- 1) a table of contents;
- 2) a list of effective pages;
- 3) an explanation of the process for submitting and obtaining approval for programme amendments;
- 4) a chronological list of approved amendments;
- 5) a confidentiality statement;
- 6) procedures for emergency amendments and for applying security directives contained in information or advisory circulars;
- 7) a statement of commitment to and obligation to implement security measures and comply with security requirements; and
- 8) must be signed by the air operator's chief executive officer, or the aircraft owner.

(2) For the purpose of administering these Regulations an air operator security programme shall be assessed by the Authority for adequacy.

(3) Where a person wishes his proposed security programme under the Regulations to be approved by the Authority he shall:

- a) submit such security programme in writing at least ninety days before the intended date of operations; and
- b) meet the requirements of these Regulations, and the National Civil Aviation Security Programme.

(4) Proposed amendments and variations to security programmes, including changes resulting from a change of national legislation, shall be submitted to the Authority for approval before incorporation.

Air Operator Security Manager and Coordinator

66.

(1) A domestic air operator, general aviation operator, and aerial work operator shall designate a person as a Security Manager or a Security Coordinator with responsibility to supervise implementation and maintenance of the security measures and take corrective action when deficiencies are identified or when required.

(2) Pursuant to sub-regulations (1), an air operator shall not use such person unless, within the preceding twelve months, such person has satisfactorily completed the required security

training specified in the National Civil Aviation Security Training Programme and approved in the air operator's Security Programme.

General Aviation Operator Security Measures

67.

- (1) General aviation operators, including those conducting aerial work shall establish security measures consistent with the requirements of the Regulations and the National Civil Aviation Security Programme for their operations and, is required to:
 - a) Prevent theft, vandalism or misuse of aircraft;
 - b) Prevent unlawful interference and unauthorized access to aircraft;
 - c) Establish contingency measures in high risk situations to immobilize aircraft; and
 - d) Establish perimeter security and access controls for areas under their control to prevent access to aprons, locked hangars and aircraft.
 - e) Provide perimeter fencing and apron lighting.
 - f) Install perimeter and facility warning signs advising legal consequences.
 - g) Establish restricted areas and provide access control measures for persons and vehicles;
 - a) Ensure that initial and recurrent background checks are conducted for persons, other than passengers, who are granted unescorted access to security restricted areas;
 - h) Ensure surveillance of operating and storage areas.
 - i) Coordinate security controls and establish liaison with the airport security, police, and other enforcement agencies, including customs, and immigration authority;
 - j) Comply with any other security measures stipulated in the National Civil Aviation Security Programme.

- (2) An aerial works operator providing agricultural application and insect control shall develop an Aerial Works Security Programme and ensure that security measures are in keeping with his responsibilities required by the regulations, the National Civil Aviation Security Programme, and the approved airport or aerodrome operator security programmes; and must include:
 - a) designation of a company security coordinator;
 - b) facility and aircraft security measures and procedures;
 - c) background checks for employees conducted initially and subsequently every two years thereafter;
 - d) initial and recurrent security training and training records in keeping with the National Civil Aviation Security Training Programme requirements;
 - e) dangerous goods awareness training and security provisions;
 - f) contingency plans, response SOPs to emergency, security threats or suspicious incidents;
 - g) incident reporting and notification of suspicious activity to the airport or aerodrome operator and the Airport Security or the Police.

General Aviation and Aerial Work Security Controls at International Airports

68.

- (1) In keeping with the National Civil Aviation Security Programme, domestic and international airport or aerodrome with General Aviation operations, shall ensure that security controls specific to General Aviation are implemented to ensure segregation of screened and unscreened passengers and others by:
 - a) keeping the movement of persons and vehicles between the General Aviation area and the main domestic or international operation areas to a strict minimum;
 - b) establishing a clear division between domestic and international operation to ensure that passengers, cargo or goods being transferred to international operations are subjected to appropriate security screening and controls that meet international standards; and
 - c) controlling only authorized access to designated airport security restricted areas by subjecting persons to the same level of screening required for international aircraft operations.

Contracted Security Providers

69.

- (1) An airport or aerodrome operator, aircraft operator shall ensure that contracted security providers or persons implementing security controls on their behalf including handling agents, catering services or any other service provider:
 - b) Formalize or enter into a contractual agreement or arrangement, or service agreement between the parties; and include a detailed description of the security duties and functions or scope of work to be carried out;
 - c) Follow specific procedures and practices as outlined by the operators in their security programme in order to protect passengers, crew, ground personnel, aircraft and facilities from crimes, acts of unlawful interference and terrorism;
 - d) Are subject to employment verification and initial and recurrent background checks.
 - e) That such persons or parties possesses all competencies required to perform their duties and functions.
- (2) An airport or aerodrome operator or aircraft operator shall ensure that each aviation security officer or screening officer in his employ or contracted by him to apply security controls or screening of persons, goods and vehicles, receive aviation security initial, on-

the-job, recurrent and certification training according to the requirements of the National Civil Aviation Security Training Programme.

- (3) An airport or aerodrome operator or aircraft operator shall ensure that appropriate training records for aviation security officer are maintained up-to-date and such records shall be retained for the duration of his employment and thereafter for a period of one year.
- (4) An airport or aerodrome operator or aircraft operator shall ensure that contracted security provider personnel's performance is in keeping with the National Civil Aviation Security Programme standards, and initial and annual assessments shall be conducted to maintain those performance standards.

Screening Passengers, Crew and Baggage, Cargo, Mail Other Goods

70.

- (1) An airport or aerodrome operator, aircraft operator shall ensure that crew members, passengers and their cabin bags, hold baggage, cargo and mail going on board aircraft are screened and protected from unlawful interference until boarded.
- (2) Where mixing of screened and unscreened persons or passengers occurs, the airport or aerodrome operator or aircraft operator shall rescreen departing persons or passengers and their carry-on baggage.
- (3) Staff and other persons along with their personal belongings and any vehicle being granted access to restricted areas shall be screened.

Carriage of Weapons on Board Domestic Aircraft and General Aviation

71.

- (1) In keeping with Regulation 53 (6), firearms shall not be carried on aircraft in any compartment to which passengers have access.
- (2) Domestic, corporate and general aviation aircraft operators may transport unloaded firearms and ammunition if they are: -
 - a) packed in a locked container that is placed in a tamper-proof stowage receptacle in the hold baggage compartment;
 - b) inaccessible to unauthorized persons on the ground and during flight;
 - c) the firearm and ammunition, if any, is transported separately as hold baggage;
 - d) the pilot-in-command is provided with all necessary information; and
 - e) the airport or aerodrome, international airport of destination is advised.
- (3) Passengers who intend to travel with personal firearms and ammunition shall be forewarned of:
 - a) the need to identify themselves at check in;

- b) the need to produce a current firearm license;
 - c) for international flights, the export and import licenses are required;
 - d) appropriate authorization has been received from the Ministry of Public Security; and
 - e) ammunition is packaged and carried in keeping with the dangerous goods requirements.
- (4) In keeping with the National Civil Aviation Security Programme, domestic aircraft operators shall provide passengers travelling with personal firearms and ammunition with the required forms for making or obtaining declarations.
- (5) Where a domestic general aviation or private air operator has an aircraft that does not have a cargo hold, he may only transport firearms and ammunition in hold baggage compartments during flight provided that: -
- a) the compartments' doors remain closed, or cargo netting is secured; or
 - b) the compartments' doors remain closed and is monitored during the flight, on aircraft so equipped; and
 - c) that the magazine or cartridge is removed from the firearm by a police officer, qualified security officer, the passenger, or by trained and qualified staff under observation of the passenger;
 - d) the unloaded firearm is packed separately from any ammunition in a lockable box or container to prevent misuse during the handling process;
 - e) firearm baggage is loaded first so that other baggage can block access to it; and
 - f) the firearm and ammunition are returned to the passenger discretely in the terminal on arrival under the oversight of law enforcement.
- (6) If the passenger has no hold baggage, the weapon and ammunition, if any, shall be packed separately in suitable envelopes, and placed in lockable boxes or containers, either by the passenger or by staff under observation of the passenger.
- (7) Where a domestic aircraft operator provides transportation for high-value goods escorted by private security personnel, prior arrangements must be made with the airport or aerodrome operator or international airport operator.

Records of Incidents

72.

- (1) A domestic airport or aerodrome operator shall ensure that a record is kept of every security incident at his airport or aerodrome.
- (2) A record is required to be kept under sub-regulations (1), shall -
 - a) be kept for a minimum of ten (10) years;
 - b) be made available to the Inspectors from the Authority upon request;

- (3) The airport or aerodrome operator, aircraft operator and aerial work operator shall keep all records required by the Regulations and the National Civil Aviation Security Programme for a minimum of ten (10) years unless otherwise stipulated.

Reporting Security Incidents

73.

- (1) A domestic aircraft operator and airport or aerodrome operator, shall immediately notify the Police and the Authority when there is:
- a) a security-related incident involving an act of unlawful interference with aviation;
 - b) persons making threatening statements in the aircraft or at the airport or aerodrome;
 - c) persons are behaving unruly, disruptive or disorderly in the aircraft or at the airport or aerodrome;
 - d) narcotic or psychotropic substances are discovered on the airport or aerodrome or on an aircraft;
 - e) an unauthorized person is found within a security restricted area or other operating area at the airport or aerodrome; and
 - f) suspicious behaviour is detected.
- (2) An aircraft operator and aerial work operator shall immediately notify the airport or aerodrome operator, the police, airport security, and the Authority when he becomes aware of:
- a) a threat against an aircraft, a flight or a facility or part of an airport or aerodrome;
 - b) destruction or damage to the facilities or interference with their operation;
 - c) an act of sabotage causing malicious or wanton destruction of property,
 - d) the discovery, on board an aircraft or facility of an explosive device or substance, an incendiary device or material intended for criminal purposes, or narcotic or psychotropic substances discovered on an aircraft, on a person, in cabin or hold baggage, cargo or mail;
 - e) an unauthorized person within a security restricted area or other operating area at the airport or aerodrome;
 - f) forcible intrusion on board an aircraft at an airport or aerodrome;
 - g) suspicious behaviour is detected;
 - h) communication of false information endangering the safety of an aircraft in flight or on the ground; and
 - i) unruly, disorderly and disruptive passenger behaviour on a flight or at an airport or aerodrome.

Communication Requirements

74.

- (1) A domestic airport or aerodrome operator, aircraft operator or aerial work operator or person authorized to access information, records or documents shall comply with the requirements of regulation (41) and (61) for the protection of sensitive security information, including: -

- a) not disclosing security measures in place on the airport or aerodrome, at the aircraft operator or aerial works facility;
 - b) taking every possible measure to safeguard such information, records or documents against unauthorized access; and
 - c) each recipient of security information is responsible for ensuring that it is disclosed only to authorized persons.
- (2) In keeping with the National Civil Aviation Security Programme standards, an aircraft operator and aerial work operator shall implement measures to protect information and communication technology systems used for civil aviation purposes from interference that may jeopardize the safety and security of civil aviation.

PART IX - PRIVATE AND HELIPORT OPERATORS

Compliance

75.

- (1) In keeping with the National Civil Aviation Security Programme, private aircraft operators shall apply security measures and comply with the security requirements for: -
- a) their private aircraft, their airstrips and their heliports;
 - b) passenger, baggage and cargo screening for domestic and international flight departure and arrival at domestic or international airports; and
 - c) customs and immigration filing of Advanced Passenger Information requirements for international flight departure and arrival.

Access Control

76.

- (1) Private aircraft operators are responsible to ensure that persons are not able to gain access to aircraft or rotorcraft in order to commit an act of unlawful interference.
- (2) A locked gate and fencing must adequately protect the aircraft and facility, or security personnel may be required to protect and control access; or placed at the gate depending on the location of the airstrip or heliport.
- (3) Private aircraft operators must apply aircraft security measures for normal operation and contingency measures for a period of heightened threat to immobilize aircraft.

Private Airstrip and Heliport Security Requirements

77.

- (1) Fencing and barriers shall be commensurate with the threat of interference with aircraft in the area, therefore:
 - a) a properly erected fence will serve as protection for an airstrip or heliport;
 - b) an airstrip in the vicinity of an informal settlement, especially near a footpath, will require a perimeter fence or other suitable barrier of sufficient height to deter scaling with a minimum height of 2.44 meters or 8 feet augmented by a minimum 1-foot anti-climb (inclined barbed wire or razor-taped wire).
 - c) apply building security measures where a heliport is at the top of a building; and install warning signs which must be prominently displayed.

Screening – International and Domestic Airports or Aerodromes

78.

- (1) A person on a private aircraft commuting from a small aerodrome, airstrip, or heliport to another small aerodrome, airstrip, or heliport will not need to conduct any screening.
- (2) When a small private aircraft wants to transfer passengers and baggage from his aircraft to a domestic commercial aircraft upon arrival at a national or international airport, screening of passengers and baggage will be required upon his arrival.
- (3) The aircraft operator shall park his aircraft in keeping with the airport operator or aerodrome's procedures which shall ensure separation of operation, passenger and baggage from domestic aircraft operations and international aircraft operations.
- (4) Passengers from the private aircraft shall be separated from screened passengers by physical means until adequately screened. Domestic airport operators or aerodromes and international airport operators shall be responsible to ensure that segregation is maintained.
- (5) All passengers and their cabin baggage and hold baggage, prior to boarding either a scheduled commercial or their own private aircraft for the purpose of international travel, shall be security-screened prior to accessing the security restricted area, airside ramp and their aircraft.
- (6) A private air operator shall clear Customs, out-going immigration and file the Advanced Passenger Information required for departure and arrival of all his international flights.

PART X - QUALITY CONTROL

Objectives and Content of Quality Control Programme

79.

- (1) The Authority shall ensure that a National Civil Aviation Security Quality Control Programme is developed, implemented and maintained to satisfy the requirements of these regulations to determine and validate the effectiveness of Aviation Security standards and requirements contained in the National Civil Aviation Security Programme.
- (2) The National Civil Aviation Security Quality Control Programme (NCASQCP) shall contain all necessary quality control monitoring measures taken to assess on a regular basis the implementation of the regulations and the National Civil Aviation Security Programme, including the policies on which they are based.
- (3) The National Civil Aviation Security Quality Control Programme shall be in such form and include such elements as stipulated within the National Civil Aviation Security Programme (NCASP).
- (4) The Authority shall ensure that the implementation of civil aviation security measures in Guyana is regularly subjected to verification of compliance with the National Civil Aviation Security Programme; and as guided by the National Civil Aviation Security Quality Control Programme.
- (5) The Authority shall arrange for security audits, tests, security assessments, risk assessments, threat assessments, vulnerability assessments and inspections to be conducted on a regular basis to verify compliance with these regulations and determine and validate the effectiveness of the National Civil Aviation Security Programme.
- (6) The Authority shall ensure the prompt and effective rectification of any deficiencies or non-compliance identified during a security audit, test, assessment or inspection.
- (7) Where applicable, the Authority shall ensure the priority and frequency of monitoring under sub-regulation (5) is based on a security risk, threat and vulnerability assessment.

Compliance Monitoring

80.

- (1) The implementation of the NCASP by all stakeholders shall be monitored by GCAA to compel compliance by all stakeholders.
- (2) Monitoring shall be undertaken in accordance with the approved National Civil Aviation Security Quality Control Programme and the approved National Civil Aviation Security

Programme, taking into consideration the risks, threat level, type and nature of the operation, standard of implementation, and other factors and assessments which will necessitate more frequent monitoring.

(3) The management, setting of priorities and organization of the quality control programme shall be undertaken independently by the GCAA from the operational implementation of the security measures, by all civil aviation stakeholders, established under the National Civil Aviation Security Programme (NCASP).

(4) All stakeholders including airport or aerodrome operators and aircraft operators who are required to:

- a) hold and implement an approved aviation security programme;
- b) or operates, maintains, or provides handling or security services, or does any other act in respect of any airport or aerodrome, aircraft, aeronautical facility, aviation related service, air traffic service, or aeronautical procedure;

must develop and implement an internal quality control programme and system to monitor their aviation operation and security system and practices.

(5) Subject to sub-regulations (4), the internal quality control programme must consist of inspections, audits, tests, assessments, risk assessments, and monitoring of their facility or operation.

(6) The internal quality control programme must be developed in accordance with the requirements of the National Civil Aviation Security Programme and the National Civil Aviation Security Quality Control Programme; and submitted to the Authority for review and approval.

(7) Subject to the requirements of sub-regulations (4), all personnel employed by the airport or aerodrome operators, airline or aircraft operators, cargo and mail operators, or any aviation entities or organizations to carry out quality control duties must possess and demonstrate the necessary competencies to perform their assigned duties and functions to a level acceptable to the Authority through an approval process outlined in the National Civil Aviation Security Training Programme.

(8) For the purposes of any inspection, audit, test, assessment, or monitoring carried out in respect of any aircraft operator, airport operator, aviation facility or person under sub-regulation (4) of this section, the Director General or Aviation Security Inspectors authorized by the Director General, shall require such information and results of the audits, inspections and monitoring activities to be presented and made available upon request.

Aviation Security Inspector's Credentials and Authority

81.

- (1) The Director-General shall sign and issue to each inspector personal credentials consisting of an identification badge bearing the logo of the Authority and the identification number of the inspector and accompanied by an identification card which shall state the full name and contain a photograph of the inspector and a statement indicating that the inspector –
 - a) has been designated under section 17(1)(a) of the Civil Aviation Act.
 - b) is authorised access pursuant to section 39(1) of the Civil Aviation Act.
 - c) is empowered to –
 - (i) exercise the powers and discharge the functions entrusted to the inspector pursuant to the provision of this Act or its Regulations stated in the document; or
 - (ii) exercise the powers and discharge the functions of the Director-General entrusted to the inspector under delegation under this Act.
- (2) The Director-General shall sign and issue to each authorized person a document which shall state the full name and contain a photograph of the authorized person and contain a statement indicating that the authorized person is empowered to exercise the powers and discharge the functions entrusted to the authorized person directly.
- (3) For the purpose of the granting or renewing an aviation document, aviation security programme or for the purposes of conducting surveillance activities including: inspections, audits, tests, security, risk, threat or vulnerability assessments, investigations, approvals, certification, surveillance and enforcement, or for the purpose of conducting evaluation of emergency and contingency exercises, the Director-General, an Aviation Security Inspector or any Aviation Inspector or persons authorized by the Director-General, shall be granted by a holder of an aviation document, unrestricted access to any airport, aerodrome, aircraft or aviation facility and to any place at an airport or aerodrome which includes the terminal, jet bridges, restricted areas, security restricted areas, security restricted areas, controlled areas, video monitoring and surveillance rooms, offices, hangars, ramp, apron, equipment, document, workshop, or facility, including facilities for training, workshops, air navigation services, maintenance, fuel storage or cargo handling areas, catering or any other area involved in civil aviation operation at any time and on any day in order to determine that operations are conducted in accordance with the prescribed security requirements of these regulations, the National Civil Aviation Security Programme and other recommended standards and requirements of the Authority.

- (4) No person shall intentionally and unlawfully obstruct, impede, refuse or cause the Director-General, or an Aviation Security Inspector or any person authorized by the Director-General to be obstructed or impeded or refused access, while in performance of his functions and display of credentials, at any aircraft or aviation facility and at any airport or aerodrome or place at the airport which includes the terminal, jet bridges, restricted areas, security restricted areas, controlled areas, hangars, ramp, apron, equipment, video monitoring and surveillance rooms, documents, workshop or facility, including facilities for training, workshops, air navigation services, maintenance, fuel storage or cargo handling, catering, hangars, emergency operations center, and as specified in sub-regulations (3).
- (5) Subject to sub-regulations (4), every person or operator commits an offence when they intentionally and unlawfully obstruct, impede or cause the Director-General, or an Aviation Security Inspector or any person authorized by the Director-General to be obstructed or impeded or refused access, or otherwise interfere with when carrying out his or her duties or functions.
- (6) Subject to sub-regulations (5), every person or operator who commits an offence under regulations 103 shall be held liable on summary conviction –
- a) in the case of an individual, to a fine of three million dollars and to imprisonment for six months; or
 - b) in the case of a body corporate, to a fine not exceeding five million dollars.
- (7) Sub-regulation (5) of this regulation shall apply only where the Aviation Security Inspector or person who is duly authorized by the Director General is obstructed or impeded produces evidence or credential of his or her authority to the person, operator or stakeholder.
- (8) No person shall possess or use an Inspector's credentials unless that person: -
- a) has been delegated and appointed by the Director-General as an Inspector; and
 - b) is using the credentials in the performance of his duty or a specific function for the Authority.
- (9) Subject to sub-regulations (8), any person who gains possession and misuses an Inspector's credentials commits an offence.
- (10) Subject to sub-regulations (8) and sub-regulation (9) under regulations 81, any person who commits an offence shall be held liable on summary conviction to a fine not exceeding three million dollars.

- (11) For the purposes of exercising his responsibilities under these Regulations, an Inspector shall carry his formal credentials on his person at all times while on duty.

Power of Investigation

82.

- (1) The Director General may require any airport or aerodrome operator, any aircraft operator, any holder of an aviation document or an approved aviation security programme to undergo an investigation conducted by the Authority, if the Director General believes, on reasonable grounds, that it is necessary in the interests of civil aviation security, and if the Director General:
- a) has reasonable grounds to believe that the holder has failed to comply with any requirements in these regulations, the national civil aviation security programme or his aviation security programme; or
 - b) considers that the privileges or duties for which the security programme has been approved are being carried out by the holder in a careless, irresponsible or incompetent manner.
- (2) If the Director General requires a holder of an aviation document or of an approved aviation security programme to undergo an investigation, the Director General shall:
- a) Conclude the investigation as soon as practicable; and
 - b) Inform the holder of: -
 - i. The date on which the investigation will begin; and
 - ii. The results of the investigation, including: -
 - 1. Any sanctions or recommendations arising out of the investigation; and
 - 2. The grounds for those sanctions or recommendations.

Power to Suspend Security Programme, Licenses, Certificates and Specifications

83.

- (1) The Director General may suspend or withdraw his approval of any aviation document including Airport or Aerodrome Licenses, Air Operator Certificates, Foreign Air Operator Specifications or any aviation security programme and contingency plan approved under these regulations; or impose conditions in respect of any such aviation document if he:
- a) considers such actions as necessary in the interests of security and safety;

- b) considers such action necessary to ensure compliance with these regulations and the National Civil Aviation Security Programme;
- c) is satisfied that the holder has failed to comply with any conditions of an aviation document, these regulations, the National Civil Aviation Security Programme or their aviation security programme; or
- d) considers that the privileges or duties for which the aviation document or the aviation security programme has been approved are being carried out by the holder in a reckless, negligent or incompetent manner.

General Power of Entry

84.

- (1) For the purpose of carrying out his or her functions, duties, or powers under these regulations, Aviation Security Inspectors or any person duly authorized by the Director-General shall have right of access, at any time, to the following:
 - a) any aircraft, aerodrome or airport, building, facility or place; and
 - b) any document or record, and video and audio recordings concerning any airport or aerodrome, aircraft or aviation related service.
- (2) Without limiting the power conferred by regulation 81, sub-regulations (3) and (4), Aviation Security Inspectors or any person duly authorized by the Director General who has reasonable grounds to believe that:
 - a) any breach of these regulations is being or is about to be committed;
 - b) a condition imposed under any civil aviation security programme is not being complied with; or
 - c) a situation exists within the civil aviation system or is about to exist that constitutes a serious threat or danger to persons or property, or may result in an act of unlawful interference, may at any time enter any aircraft, aerodrome or airport, building, or place, and carry out an inspection to determine whether or not a matter referred to in sub-regulation (2) a) to c) exists.
 - d) subject to a situation existing or arising as referred to in sub-regulation (2) (a) to (c) of regulation 106, an Aviation Security Inspector or any person duly authorized by the Director-General shall: -

- i. have the airport or aerodrome operator or aircraft operator take immediate steps or measures to address any serious threat or vulnerability that endangers the safety and security of persons or property; or
 - ii. if unable to address the serious threat or vulnerability immediately, have the airport or aerodrome operator or aircraft operator cease or suspend their operation until such time that measures are taken to return the operation to a safe and secure level of operation.
- (3) Every person who is authorized to have access to or to enter any aircraft, airport, aerodrome, building, or place under sub-regulation (1) or sub-regulation (2): -
 - (a) may require any person who is in possession of an aviation document or an aviation security programme, or of any certificate, book, log-book, manual, standard operating procedure, record, list, notice, or other document that is required to be kept under these regulations, to produce or surrender it; and
 - (b) must, if a document is surrendered under sub-regulation (3)(a), inform the relevant aviation document holders orally as soon as practicable and, in writing, that the document has been surrendered.
 - (c) Nothing in sub-regulation (1) or (2) of this section shall not confer on any person the power to enter any residential or dwelling house, unless the entry is authorized by a warrant issued by a judicial officer on written application on oath, which shall not be granted unless the judicial officer is satisfied that the entry is essential to enable the inspection to be carried out.
 - (d) Any warrant issued under sub-regulation (3) of this section shall be directed to a named person and shall be valid for a period of 1 month from the date of its issue or such lesser period as the judicial officer considers appropriate; and the period of validity shall be shown in the warrant.
 - (e) In accordance with the provisions of regulation 104, every person exercising the power of unrestricted entry conferred by regulation 107, sub-regulation (1) and (2) of this section shall carry a proof of identity and authority, issued by the Director General specifying:
 - i. The name and the office or offices held by the person; and
 - ii. That the person is authorized to exercise the power conferred by sub-regulations (1) and (2) of this section to enter aircraft, airports, buildings, and places, and to carry out such inspection.

- (f) Every person exercising the power of entry conferred by sub-regulation (1) and (2) of this section shall produce the credential of authority and evidence of identity:
- i. on entering an airport, aerodrome, aircraft, building, or place; and
 - ii. whenever subsequently reasonably required to do so.

Other Powers of Aviation Security Inspectors

85.

- (1) An Aviation Security Inspector shall have the power to inspect an airport or aerodrome, aircraft, or aviation facility, and copy any certificate, license, logbook, aviation document, document, or record raised or issued pursuant to these Regulations, the National Civil Aviation Security Programme and any advisory or directions issued thereunder, and to require such certificate, license, logbook, aviation document, document, or record, to be produced.
- (2) An Aviation Security Inspector, during any inspection, audit, investigation, test, or assessment of any part of an airport or aerodrome, aircraft, or aviation facility, shall have the power to immediately review and make or obtain copies of any video footage and audio recordings of:
- (a) any person whilst they are conducting an aviation security function;
 - (b) any check-in areas, boarding gates, and departure areas of an airport;
 - (c) any security screening checkpoints and access control points and gates at airports;
 - (d) any act of unlawful interference which occurred;
 - (e) any security incident or situation which threatened civil aviation;
 - (f) any building, terminal or facility on the airport or part thereof;
 - (g) any part of the airport or aerodrome and perimeter; and
 - (h) any aviation security training session;
 - (i) any aircraft or part thereof;
 - (j) any other applicable areas when necessary

for the purposes of reporting, quality assurance, quality control, compiling a report or for use as evidence in an investigation or any legal proceedings.

- (3) An Aviation Security Inspector shall have the power during any inspection, audit, investigation, test, assessment or any other activity authorized by the Director General to take video footage, audio recordings and photographs of: -
- (a) any person whilst they are conducting an aviation security function;
 - (b) any aviation security document (records, log book, checklist, training materials);
 - (c) any check-in areas, boarding gates, and departure areas of an airport;
 - (d) any security screening checkpoints and access control points and gates at airports;

- (e) any aviation security training session;
- (f) any aircraft or part thereof;
- (g) any building, terminal or facility on the airport or part thereof;
- (h) any part of the airport or aerodrome and perimeter; and
- (i) any other applicable areas when necessary

for the purposes of enforcement, quality assurance, quality control, investigating, reporting, compiling a report or for use as evidence in any legal proceedings.

(4) An Aviation Security Inspector shall have the power to inspect or subject to aviation inspection and testing:

- (a) any aircraft registered or operating in Guyana.
- (b) any part of any airport or aerodrome in Guyana.
- (c) any air navigation facilities in Guyana.
- (d) any land outside an airport or aerodrome occupied for any aviation-related business purposes by a person who has access to the security restricted area of the airport or aerodrome for business purposes.
- (e) any property (building or facility) found on any airport or aerodrome in Guyana.

(5) An Inspector shall have the power to:

- (a) inspect, investigate and test the effectiveness of security systems, and security practices and procedures of any aviation stakeholder or service provider.
- (b) require an aircraft operator, airport or aerodrome operator or occupier of land outside the aerodrome or airport occupied for any aviation-related business purposes connected with the airport or aerodrome to provide information relevant to the audit, inspection or test.

(6) No person shall obstruct, impede or otherwise interfere with an Aviation Security Inspector when he is conducting his or her duties including collecting information, copying documents or recording video and audio or taking photograph which are referred to in sub-regulation (1) through (5).

(7) Subject to sub-regulations (1) through (6), every person or operator commits an offence when they obstruct, impede or otherwise interfere with an Aviation Security Inspector when carrying out his or her duties or functions.

(8) Subject to sub-regulations (7), every person or operator who commits an offence under regulations 107 shall be held liable on summary conviction –

- a) in the case of an individual, to a fine not exceeding three million dollars or six (6) months imprisonment; or
- b) in the case of a body corporate, to a fine not exceeding five million dollars.

(9) Sub-regulation (8) of this section shall apply only where the Aviation Security Inspector or person who is duly authorized by the Director General is obstructed or impeded produces evidence or credential of his or her authority to the person, operator or stakeholder.

Obstruction of Authorized Persons

86.

(1) Any person or operator commits an offence who obstructs or impedes any Aviation Security Inspector or person who is duly authorized by the Director General from acting in the performance or exercise of any functions, duties, or powers conferred on him or her by these regulations, commits an offence and is liable on summary conviction—

- a) In the case of an individual, to a fine of three million dollars and to imprisonment for six (6) months; or
- b) In the case of a body corporate, to a fine not exceeding five million dollars

(2) Sub-regulation (1) of this section shall apply only where the Aviation Security Inspector or person who is duly authorized by the Director General is obstructed or impeded produces evidence or credential of his or her authority to the operator or stakeholder.

Stakeholder Response to Audits and Inspections Findings

87.

(1) Some of the deficiencies identified by inspections or audits shall require the stakeholder, operator, or service provider to rectify the deficiencies immediately;

(2) Where corrective actions are required, within two (2) weeks of the date of dispatch of an inspection or audit report, the stakeholder, operator, or service provider shall submit in writing to the GCAA an answer to the report which:

- a) addresses the findings and recommendations;
- b) provides a Corrective Action Plan, specifying actions and deadlines, to remedy any identified deficiencies.

(3) Where the inspection or audit report identifies no deficiencies, no answer shall be required.

PART XI - OFFENCES AND PENALTIES

Possession of Prohibited items

88.

A person who is in unlawful possession of a prohibited item or substance, firearm, ammunition, weapon, incendiary device, or explosive at an airport, in a security restricted area, on board an aircraft or at an air navigation installation; or has with him or her a prohibited item contrary to regulations 49; commits an offence and is liable, on conviction, to a fine up to one million, five hundred thousand dollars (G\$1,500,000.00) or to imprisonment for a term not exceeding three (3) years or both.

Entering Security Restricted Areas

89.

A person who is unauthorized or without lawful authority, breaches or enters a security restricted area at an aerodrome or airport commits an offence and is liable, on conviction, to a fine up to seven hundred thousand dollars (G\$700,000.00) or to imprisonment for a term not exceeding one year or both.

Offences Relating to Airport Security Airside Passes

90.

- (1) A person who, for the purpose of, or in connection with, an application to obtain a security pass gain access at an aerodrome or airport; or in connection with continuing to hold an existing airport security pass, 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, commits an offence and is liable, on conviction, to a fine not less than two hundred thousand dollars (G\$200,000.00).
- (2) A person who uses an airport security pass or permit to gain access to an aircraft, or to an area of an airport or an air navigation facility when he or she is not entitled to such access commits an offence and is liable, on conviction, to a fine not less than five hundred thousand dollars (G\$500,000.00) or to imprisonment for a term not exceeding three months or both.
- (3) A person who uses a false or unauthorized airport security pass or permit for the purpose of gaining access to a security restricted area or to an air navigation facility commits an offence and is liable, on conviction, to a fine not less than five hundred thousand dollars (G\$500,000.00) or to imprisonment for a term not exceeding three months or both.
- (4) A person commits an offence who: -
 - a) Fails to comply with any conditions applying to an airport security pass or permit system;

- b) Fails to display an airport security pass or permit upon being required to do so by an Airport or Aviation Security Officer;
 - c) Fails to return an airport security pass or permit promptly following its expiry or upon his or her becoming no longer authorized to possess it; or
 - d) Continues using an airport security pass or permit after it has expired; or uses a valid pass or permit after he or she is no longer authorized to possess it.
- (5) A person who commits an offence under sub-regulation (4) of this regulation is liable, on conviction, to a fine not less than two hundred thousand dollars (\$200,000.00).
- (6) A holder of an airport security pass or 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 area or an air navigation facility when he or she is not authorized to gain such access, commits an offence and is liable, on conviction, to a fine not less than seven hundred thousand dollars (G\$700,000.00) or to imprisonment for a term not exceeding three months or both.
- (7) A person who, being a person authorized by the airport or aerodrome operator to issue airport security permits or passes, issues a security permit or pass to a person who is not authorized to be issued with such a permit, with the intention of enabling that other person to gain access to an aircraft, a security restricted area or an air navigation facility commits an offence and is liable, on conviction, to a fine not less than five hundred thousand dollars (G\$500,000.00) or to imprisonment for a term not exceeding three months or both.
- (8) A person who is not authorized by the airport or aerodrome operator to issue airport security permits or passes, but issues a security permit or pass to a person who is not authorized to be issued with such a permit, with the intention of enabling that other person to gain access to an aircraft, a security restricted area or an air navigation facility commits an offence and is liable, on conviction, to a fine not less than five hundred thousand dollars (G\$500,000.00) or to imprisonment for a term not exceeding three months or both.
- (9) A person who is authorized by the airport or aerodrome operator to issue airport security permits or passes, but issues a security permit or pass to a person who is not eligible or authorized to be issued with such a permit, with the intention of enabling that other person to gain access to an airport or aerodrome security restricted area, or an aircraft, or an air navigation facility commits an offence and is liable, on conviction, to a fine not less than five hundred thousand dollars (G\$500,000.00) or to imprisonment for a term not exceeding three months or both.

Operating without an Aviation Security Programme

91.

- (1) A person commits an offence who:
 - a) operates without a security programme as required by regulations 16, 17, 18, 19, 20 and 21;
 - b) Fails to implement a security programme referred to in regulations 16, 17, 18, 19, 20 and 21;
- (2) A person who commits an offence under sub-regulation (1) is liable, on conviction, to a fine up to one million, two hundred thousand dollars (G\$1,200,000.00).

Obstructing Airport Security Officers

92.

- (1) A person commits an offence who refuses not to obey any instruction, order or reasonable request of an Aviation Security Officer or Airport Police Officer acting in the execution of his or her duty at an airport or aerodrome.
- (2) A person who commits an offence under sub regulation (1) is liable, on conviction, to a fine not less than five hundred thousand dollars (G\$500,000.00).

Offences by Body Corporate

93.

- (1) Where an offence under Part XI of these Regulations is committed by a body corporate and is proven to have been committed with the consent or connivance of, or is attributable to any neglect on the part of:
 - 1) any director, manager, secretary, agent or similar officer of the body corporate; or
 - 2) 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.

PART XII - ENFORCEMENT OF REGULATIONS

Unidentified baggage

94.

- (1) Where 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 investigating and evaluating to ascertain whether there are explosives,

remove the item of baggage or object and neutralize or destroy it by whatever means necessary.

Power to Stop Passengers Travelling

95.

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

- a) is about to embark on an aircraft in Guyana; or is on board an aircraft in Guyana, 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: -
 - i. preventing him or her from embarking on the aircraft;
 - ii. removing him or her from the aircraft; or
 - iii. in case of aviation security officer, arresting him without warrant and immediately handing him over to the police for appropriate action.

Powers and responsibilities of Pilot in Command

96.

- (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 the safety and security of the aircraft and passengers;
 - c) disembark persons who may be a threat to safety;
 - d) search persons and baggage on an aircraft and take possession of or confiscate items which could be used in connection with any act of unlawful interference;
 - e) notify authorities of Guyana as soon as practicable and, before landing, in the territory of Guyana, inform them of any infringements of these regulations by any person on board the aircraft;
 - f) Provide the authorities of Guyana with evidence and information regarding the incident that necessitated the restraint and or disembarkation of a passenger.

- (2) In case of severe threat to the safety and security of the aircraft 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.

Powers of Aviation Security Officers

97.

- (1) An Aviation Security Officer shall have power to: -
 - a) Screen goods, cargo and mail;
 - b) Screen persons and items carried, hold baggage, carry-on baggage and vehicles;
 - c) Stop unauthorized persons from entering a security restricted area;
 - d) Stop unauthorized persons from entering an aircraft; and
 - e) Any other power prescribed under these regulations and the National Civil Aviation Security Programme.

Exemptions

98.

- (1) The Authority may, at its discretion, or on direction of the Minister exempt any person, airport or category of airports from specific provisions of these Regulations.
- (2) The Authority may, in an emergency situation, exempt any person, airport or category of airports from the application of these Regulations.
- (3) An emergency situation in regulation 28 (5) includes an aircraft emergency, war or natural disaster.

Application for Exemption

99.

- (1) An application for exemption shall be in writing and shall contain:
 - 1) the particulars of the applicant;
 - 2) the specific regulation or regulations, or the specific security requirement from which the applicant seeks exemption;

- 3) the justification or reasons for the exemption;
 - 4) the proposed duration of the exemption;
 - 5) a description of any alternative means by which the applicant proposes to safeguard civil aviation from acts of unlawful interference;
 - 6) any other relevant information that the Authority may require.
- (2) An application for an exemption shall be provided to the Authority.

Grant or Refusal of Exemption

100.

- (1) The Authority may, consider an application for exemption under these Regulations:
 - a) have due regard to the impracticability of the application of the regulations or the specific requirements from which exemption is required;
 - b) carry out a security risk assessment to determine the threat levels.
- (2) The Authority shall, within thirty days after receiving the application, refuse or grant the exemption.
- (3) The Authority: -
 - a) may impose conditions in an exemption granted under these Regulations; and
 - b) shall state the duration of the exemption in the exemption approval.
- (4) Where the Authority refuses to grant an exemption, the Authority shall inform the applicant in writing and shall give the applicant reasons in writing for the refusal.
- (5) The Authority shall publish every exemption granted under these Regulations in a Security Advisory Circular or Aeronautical Information Circular.

Power to Enforce Compliance

101.

- (1) The Authority or any authorized person may, for purposes of ensuring the implementation of the National Aviation Security Programme, or the requirements of the National Civil Aviation Security Quality Control Programme, or an air operator security programme, or requirements set out under these Regulations, and without prejudice to the provisions of

Regulations 81 adopt procedures for aviation security monitoring and enforcement recommended by the National Civil Aviation Security Committee.

- (2) The procedures referred to in sub regulation (1) shall establish enforcement to ensure rectification of any matter, including but not limited to the following:
 - a) failure to comply with any order, advisory 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 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 threats and vulnerabilities.

Enforcement Actions

102.

- (1) The GCAA has the legal authority to ensure compliance by compelling stakeholders to comply with the regulations, policies, programmes, directives, and notices which are given force of law under these regulations.
- (2) Aviation Security Inspectors has the legal authority to ensure compliance by compelling stakeholders to comply with the regulations, policies, programmes, directives, and notices which are given force of law under these regulations.
- (3) Subject to sub-regulations (1), such policies and programmes shall be in the form of the NCASP, NCASQCP, NCASTP and the NCASSCP, and any other document in the form prescribed by the Authority as deems appropriate.
- (4) The Authority shall seek immediate rectification of deficiencies from aviation stakeholders where necessary, by notifying the stakeholders of the concerns or deficiencies.
- (5) The Authority shall take enforcement action against aviation stakeholders for failing to comply with the regulations, requirements, directives, and programmes and policies which has resulted in breaches to the aviation system or raised significant security and safety concerns.

(6) Subject to sub-regulations (5), enforcement actions taken by the Authority shall be in the form of:

- 1) Administrative actions.
- 2) Civil penalty actions.
- 3) Placing restrictions on an airline or airport operation.
- 4) Placing restrictions on any stakeholder's operation.
- 5) Grounding of aircraft
- 6) Suspension of operating licence.

(7) Subject to sub-regulations (5), when breaches to security are discovered which may endanger the safety and security of an airline or airport operation, the priority will be to identify the actions to be taken immediately to rectify or correct the situation, even if such actions are temporary, including temporary suspension of an aircraft operation, or suspension of an airport operation, or part thereof until a permanent solution can be put in place.

Administrative Actions

103.

(1) An administrative action, in the form of a 'letter of warning' or a 'letter of correction' may be deemed as adequate when violations are minor in nature, are corrected on the spot or for first time violations or non-compliance.

Corrective Action Plans

104.

(1) When serious breaches have been identified, the GCAA will require that immediate corrective action be taken to resolve the breaches. The regulated party will be required to submit a Corrective Action Plan (CAP) outlining the corrective measures taken. The CAP shall be submitted within 14 days of the receipt of the surveillance report outlining the deficiency or issue of non-compliance. The Corrective Action Plan shall include:

- 1) Findings and recommendations.
- 2) Agreement with the recommendation.
- 3) Proposed corrective measures to be taken.
- 4) By whom corrective measures will be taken.
- 5) Time and date when corrective measures will be implemented.

(2) The Corrective Action Plans must be submitted to the GCAA, and follow-up verification of any final corrective actions must be conducted by the GCAA to ensure that:

- 1) Corrective action agreed upon has been or is being undertaken.
- 2) The corrective measures are sustainable.

- 3) An accurate picture of implementation is obtained.
- (3) The Corrective Action Plan does not preclude the GCAA from taking enforcement action. Depending on the magnitude and seriousness of the breach, may require the operations to be halted by means of issuing an enforcement notice to the stakeholder until the breach can be rectified.
- (4) An enforcement notice may be served on a person who has failed to comply with a requirement or direction. Persons upon whom an enforcement notice is served, is required to comply with the requirements specified in the notice.
- (5) The GCAA shall, verbally and in writing, inform the company or parties concerned about the deficiencies and require that they set a timeframe to remedy the situation at earliest; or, if the circumstances so warrant, require rectification as soon as is practicable.
- (6) Should further inspections be carried out and the deficiencies still exist, or, in circumstances where the deficiencies have not been addressed, the GCAA may consider extending the deadline or period that will allow for adequate redress of the deficiency.
- (7) Subject to subsection (6), upon further inspections, if no effort is made to resolve or address the deficiencies, and they continue to pose a safety and security risk, the GCAA may consider taking appropriate enforcement action.

PART XV - CYBER SECURITY

Cyber Security Measures

105.

- (1) All aviation stakeholders including the civil aviation authority, airport operators, aircraft operators, and air traffic service providers shall develop and implement sound security measures to safeguard their electronic information, data, and computerized systems used in their daily operations from cyber threats and cyber-attacks.
- (2) The security measures required in sub-regulations (1) must be outlined in the operational manual or the aviation security programme of each aviation stakeholder in accordance with the categories outlined in schedule 12; and must include security measures and provisions for the protection of: -
 - a) Access control and alarm monitoring systems.
 - b) Departure border control systems.
 - c) Border crossing and customs systems.
 - d) Advance Passenger Information Systems.
 - e) Advance Cargo Information Systems.
 - f) Passenger and baggage reconciliation systems.

- g) X-ray screening systems whether network or stand-alone configuration.
 - h) Explosive detection systems whether network or standalone configuration.
 - i) Regulated agent and known consignor data-bases.
 - j) Air traffic management systems.
 - k) Aircraft operator reservation and passenger check-in systems.
 - l) Flight information display systems.
 - m) Closed-circuit television surveillance systems.
 - n) Aircraft command, control and dispatch systems.
 - o) Communication, navigation and other safety-critical systems of an aircraft.
 - p) Baggage handling and monitoring systems.
 - q) Any other system utilized in civil aviation which is computerized, or network based.
- (3) Aviation stakeholders including the civil aviation authority, airport operators, aircraft operators, and air traffic service providers must ensure electronic protection of their computer systems as listed in sub-regulations (2) against sabotage by unauthorized persons through Information, Communication and Technology (ICT) security control measures which are in accordance with the categories outlined in Schedule 12 and must also include:
- a) Security standards, policy and procedures;
 - b) Appropriate recruitment, selection and training of staff, including conducting background checks particularly for persons granted access and administrative rights to computer systems and processes;
 - c) Conducting threat, risk and vulnerability assessments to determine the vulnerability of a system and likelihood of attack.
 - d) Carrying out quality control activities including inspections and tests.
 - e) Using appropriate hardware and software to enhance security controls.
 - f) Creating virtual or logical controls such as firewalls, data encryption, network intrusion detection systems, and anti-virus systems.
 - g) Requiring multi-tier approvals for granting access and making changes to all computerized systems and networks.
 - h) Implementing any other security measures outlined in the National Civil Aviation Security Programme.
- (4) Aviation stakeholders including airport operators, aircraft operators, and air traffic service providers must ensure that their systems as listed in sub-regulations (2) are safeguarded against intentional damage and sabotage by unauthorized persons through physical protection and controls such as:
- a) Ensuring system hardware, particularly servers, are appropriately secured and located in areas to which access is controlled.
 - b) Implementing authentication systems to verify that only those authorized personnel accessing the system, such as biometric log-on methods and passwords.
 - c) Limiting the number of persons with authorized access.

- d) Continuous monitoring and control of access to systems.
- e) Using remote backup systems in the event of loss of or damage to the primary system.
- f) Maintaining activity logs, which can be useful in auditing and evaluating, as well as providing alerts when there is activity outside of normal operating parameters.
- g) Implementing any other security measures outlined in the National Civil Aviation Security Programme.

Cyber Attack and Threat Reporting

106.

- (1) Aviation stakeholders, airport operators, aircraft operators and air navigation service providers shall report incidents involving cyber-attacks and cyber threats which can impair civil aviation operations or result in an act of unlawful interference.
- (2) The civil aviation authority, airport operators, aircraft operators and air navigation service providers including other aviation stakeholders shall develop appropriate countermeasures to respond to cyber-threats and cyber-attacks by:
 - a) Establishing an alert or notification system to respond immediately to mitigate or address cyber threats;
 - b) Informing appropriate authorities and other ancillary operators and stakeholders to further address or mitigate the cyber threats or attacks.
 - c) Implementing a reporting system in their organizations and include adequate response provisions in their aviation security programmes.
 - d) Implementing any other security measures outlined in the National Civil Aviation Security Programme.

PART XIII - MISCELLANEOUS

Issue of Security Directive or Advisory/Information Circular

107.

- (1) The Authority may issue a security directive or information circular to an airport or aerodrome operator, aircraft operator, catering operator or regulated agent or any person or business or entity who provides a service to an aircraft operator, airport or aerodromes operator where necessary.
 - (2) An airport or aerodrome operator, aircraft operator, catering operator or regulated agent or any person, business, or entity who provides a service to an aircraft or airport operator, including security service providers and handling agents shall comply with all security directives issued by the Authority within the time frame prescribed for compliance.
 - (3) An airport or aerodrome operator, aircraft operator, catering operator or regulated agent or any person, business or entity who provides a service to a national aircraft operator who receives a security directive shall: -
-

- a) no later than forty-eight hours after delivery by the Authority or within the time prescribed in the security directive, acknowledge receipt of such security directive;
 - b) within the time prescribed in such security directive, specify the method by which the airport or aerodrome operator, aircraft operator, catering operator or regulated agent, business or entity has implemented or plans to implement the measures in the security directive; and
 - c) ensure that information regarding the security directive and measures implemented in response to such security directive are distributed to specified personnel as prescribed in the security directive and to other personnel who require to have such information for the performance of their functions.
- (4) In the event that an aerodrome or airport operator, aircraft operator, catering operator or regulated agent is unable to implement the measures contained in the security directive, received under sub-regulation (3), he shall submit proposed alternative measures, and the basis for submitting the alternative measures, to the Authority within the time frame for compliance prescribed in the security directive.
- (5) The Authority shall review alternative measures submitted by the aerodrome or airport operator, aircraft operator, catering operator or regulated agent, under sub-regulation (4), and where they satisfy the requirements of the Authority's security directive, the Authority shall approve such alternative measures.
- (6) The airport or aerodrome operator, aircraft operator, and catering operator shall implement any alternative measures approved by the Authority under sub-regulation (5).
- (7) An airport or aerodrome operator, aircraft operator, catering operator or regulated agent who receives a security directive or information circular, under sub-regulation (1), and each person, business or entity who receives information from a security directive or information or advisory circular from the aerodrome or airport operator, aircraft operator, catering operator or regulated agent in respect of his duties, shall:
- a) restrict the availability of the security directive or information or advisory circular and information therein to those persons who require such information for the performance of their functions; and
 - b) refuse to release the security directive or information or advisory circular and information regarding the security directive or information circular to other persons without the prior written consent of the Authority.

Minister may amend Schedules

108.

The Minister may, by Order amend these regulations or any of the Schedules attached.

FIRST SCHEDULE

[Regulations 16 (8)]

REVIEW FEES FOR AVIATION SECURITY PROGRAMMES

1. Applicability

This Schedule prescribes the fees and charges which are to be paid to the Authority for the review of security programmes, training programmes and materials, quality control programmes, and document amendments as well as certification of various security personnel.

2. Definitions

For the purposes of this Schedule, the definitions in Part I will apply.

3. Acronyms

The following acronyms are used in this Schedule: -

- (1) AVSEC – Aviation Security
- (2) OPS – Operations
- (3) PAX – Passenger

4. Initial Review and Approval

The GCAA's Aviation Security Department is tasked with the responsibility for review and approval of all security related programmes. Aviation stakeholders must develop and submit the following documents to the Authority for review and approval before implementing security measures:

- 1) Aviation Security Programme
- 2) Quality Control Programme

Stakeholders providing aviation security training must submit the following document to the Authority for review and approval before implementation:

- 1) Aviation Security Training Programme or Manual
- 2) Aviation Security Training Presentation and Training Modules

A document or programme review fee must be paid to the Authority by the aviation stakeholder for 'initial review and approval' or 'recurrent review and re-approval' of the security

programmes or security related documents upon its submission. Table A sets out the fees charged for the ‘initial review and approval’ or ‘recurrent review and re-approval’ of Aviation Security Programme or security related document for each type and category of aviation related operation.

Table A. Initial and Recurrent AVSEC Programme Review Fees

ITEM	DOCUMENT OR ACTION	FEE (GUY\$)
1.	Airport Security Programme – International Operator	100,000
2.	Airport Security Programme – Domestic Operator	85,000
3.	Heliport Aviation Security Programme	85,000
4.	Aircraft Operator Security Programme – International (Large Passenger Operations)	80,000
5.	Aircraft Operator Security Programme – International (Cargo Operations)	80,000
6.	Cargo Operator/Handler Security Programme	75,000
7.	Aircraft Operator Security Programme – International (Small Passenger Operations)	75,000
8.	Aircraft Operator Security Programme – Domestic Passenger and Cargo Operations	65,000
9.	Aircraft Operator Security Programme (General Aviation, Aerial Works, Helicopter)	50,000
10.	Security Service Provider Security Programme	40,000
11.	Ground Handling Services Provider Security Programme	40,000
12.	Air Traffic Control Services Security Programme	40,000
13.	Catering Service Providers Security Programme	40,000
14.	AVSEC Training Manual/Programme (Inclusive of course slides)	50,000
15.	AVSEC Course Slides (Initial/Advance/Basic/Recurrent); if submitted separately	50,000
16.	Screeener’s Certification Programme (Airport, Aircraft & Cargo Operators)	50,000
17.	Screeener's Certification Programme - Catering Operators only	50,000
18.	Quality Control Programme/Manual (for all Stakeholders)	50,000

5. Fees for Recurrent Reviews and Approvals

Recurrent reviews of security programmes or security related documents are required triennially in accordance with the National Civil Aviation Security Programme and National Civil Aviation Security Training Programme. This means that stakeholders are required to re-submit an updated or revised version of their programme. This process ensures that the Aviation Security Programmes remain current and up to date with the new measures and requirements for implementation.

The revised version may encompass changes which are needed to ensure that ICAO’s standards and recommended practices, and new Security Directives and requirements are considered to mitigate new and emerging threats to civil aviation. The increase or decrease in operations and change in organizational structure must also be reflected in the updated programmes. Hence, a document or programme review fee must also be paid to the GCAA by the respective aviation stakeholders for recurrent review and approval of the security programmes or related manuals. Therefore, the fees in Table A are also applicable to recurrent reviews and approvals of Aviation Security Programmes and related documents for each type and category of aviation related operation.

The amendments made by stakeholders to their Aviation Security Programmes, Training Programmes and other documents must also be submitted to the Authority for review and approval. An amendment may entail a small change, or a significant change made to one or more sections of a document.

A “Review of Amendments” fee must also be paid to the GCAA by the respective aviation stakeholder for review and approval of Amendments submitted to update the programmes. Table B sets out the fees charged for the “Review of Amendments” for each type and category of aviation related operation.

TABLE B. Review of Amendments

ITEM	DOCUMENT OR ACTION	FEE (GUY\$)
1.	Airport Security Programme – International Operator	25,000
2.	Airport Security Programme – Domestic Operator	20,000
3.	Heliport Aviation Security Programme	20,000
4.	Aircraft Operator Security Programme – International (Large Passenger Operations)	15,000
5.	Aircraft Operator Security Programme – International (Cargo Operations)	15,000
6.	Cargo Operator/Handler Security Programme	15,000
7.	Aircraft Operator Security Programme – International (Small Passenger Operations)	15,000
8.	Aircraft Operator Security Programme – Domestic Passenger and Cargo Operations	15,000
9.	Aircraft Operator Security Programme (General Aviation, Aerial Works, Helicopter)	15,000
10.	Security Service Provider Security Programme	10,000
11.	Ground Handling Services Provider Security Programme	10,000
12.	Air Traffic Control Services Security Programme	10,000
13.	Catering Service Providers Security Programme	10,000
14.	AVSEC Training Manual/Programme (Inclusive of course slides)	25,000
15.	AVSEC Course Slides (Initial/Advance/Basic/Recurrent); if submitted separately	20,000
16.	Screener’s Certification Programme (Airport, Aircraft & Cargo Operators)	25,000
17.	Screener's Certification Programme - Catering Operators only	15,000
18.	Quality Control Programme/Manual (for all Stakeholders)	25,000

The requisite fee must be paid to the GCAA by Applicants who have met the criteria in accordance with the NCASP and the NCASTP to be approved as instructors authorized to conduct Aviation Security or related training. Table C sets out the fees charged for the category of instructors, namely an initial provisional approval issued for a six (6) months period, and an instructor approval issued for longer than six months once the requisite criteria are met.

TABLE C. Instructors

ITEM	DOCUMENT OR ACTION	FEE (GUY \$)
1.	AVSEC Instructors Approval/Certification	30,000
2.	AVSEC Instructors Provisional Approval (Six Months)	15,000

SECOND SCHEDULE

[Regulation 10 (5)]

TERMS OF REFERENCE AIRPORT SECURITY COMMITTEE

- 1) Ensure that committee meetings are held regularly, and maintain records of minutes of the meetings; and furnish copies of the minutes to the Authority;
- 2) Coordinate the implementation of the National Civil Aviation Security Programme;
- 3) Oversee and monitor the Airport Security Programme, including special measures introduced by the Authority, airport administration, operators and airport tenants;
- 4) Use the National Civil Aviation Security Programme and the Security Manual for Safeguarding Civil Aviation Against Acts of Unlawful Interference, ICAO Document 8973, and ICAO Annex 17 and 9 as a guide;
- 5) Draw up and maintain a list of vulnerable points including essential equipment and facilities and review the security of those points from time to time;
- 6) Ensure that the minimum-security measures and procedures are adequate to meet threats and are under constant review;
- 7) Ensure that the minimum-security measures and procedures are provided for operating in normal situation as well as for contingencies for periods of heightened tension and emergency situation.
- 8) Arrange for security audits, inspections and tests to be carried out by the airport's quality control system; and for corrective actions to be taken;
- 9) Ensure that the Authority's recommendations for improvements in security measures and procedures are implemented;
- 10) Inform the Authority of the current state of security measures and procedures in effect at the airport or aerodrome and refer any problems relating to the protection of the airport or aerodrome and its services which cannot be resolved at the local level;
- 11) Arrange for security education and training of airport and other staff; and
- 12) Ensure that the planning of airport expansion including modifications to be made to the airport takes into account security considerations.

THIRD SCHEDULE

[Regulation 12 (9)]

NATFC RULES OF PROCEDURE

- 1) The chairperson of the National Air Transport Facilitation Committee (hereafter National FAL Committee) is the Permanent Secretary of the Ministry of Public Works.
- 2) The Aviation Security Division of the GCAA shall provide Secretariat services to the National FAL Committee.
- 3) Government ministries or agencies and other entities involved in the implementation of the NATFP shall designate their respective members to the National FAL Committee.
- 4) Members of the National FAL Committee shall participate in every meeting of the National FAL Committee. A member may be replaced by an alternate, who shall have the same responsibility and exercise the same rights as the regular member.
- 5) Experts with specific knowledge on subject matters of interest to the National FAL Committee may be invited by the chairperson to participate in one (or more) of the meetings of the National FAL Committee, or only a part thereof, on an ad hoc basis.
- 6) Members of the National FAL Committee as well as experts invited to meetings shall ensure the confidentiality of the specific content of meetings and decisions taken, as considered necessary by the chairperson of the National FAL Committee.
- 7) The National FAL Committee will meet at least once every six (6) months. The National FAL Committee may hold ad hoc meetings whenever necessary for the purpose of reviewing a facilitation situation and attempting to resolve specific operational problems. The outcomes of the ad hoc meetings are reported to the National FAL Committee.
- 8) The Secretary of the National FAL Committee is responsible for:
 - a) Making all administrative arrangements for the preparation of the meetings of the National FAL Committee in liaison with the chairperson.
 - b) Disseminating the provisional agenda to the members of the National FAL Committee at least five (5) working days in advance.
- 9) All papers shall be submitted to the Secretary at least five (5) working days in advance of the meeting.
- 10) The Secretary prepares a Summary of Decisions after each meeting, to be circulated to the National FAL Committee members within fourteen (14) working days after the meeting.