

**UAE, GCAA
CAR - PART VII
AVIATION SECURITY REGULATIONS**

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FOREWORD

The structure and substance of these regulations are based on Annex 17 to the Convention on International Civil Aviation, Security - Safeguarding International Civil Aviation Against Acts of Unlawful Interference and other related annexes.

It also takes into account International Civil Aviation Organisation (ICAO) international instruments, ratified by the United Arab Emirates (UAE) on civil aviation security.

Pursuant to the United Arab Emirates Civil Aviation Law (Federal Act No. 20 of 1991); and General Civil Aviation Authority Law (Federal Act No.4 of 1996), the Competent Authority hereby promulgates these regulations which prescribe rules for the safeguarding of civil aviation against acts of unlawful interference. These regulations **shall** be cited as Civil Aviation Regulations (CAR) Part VII - Aviation Security Regulations and **shall** address any new and emerging threat to civil aviation.

In accordance with the obligation imposed by Article 38 of the Chicago Convention, the ICAO will be notified of any differences between the national regulations and practices and the International Standards contained in Annex 17 and any amendments thereto.

DEFINITIONS

Definitions

Accompanied hold baggage - Baggage which is accepted for carriage in the hold of an aircraft and which is checked in by the passenger who is on board.

Act of unlawful interference - These are acts or attempted acts such as to jeopardize the safety of civil aviation, including but not limited to:

- (a) unlawful seizure of aircraft,
- (b) destruction of an aircraft in service,
- (c) hostage-taking on board aircraft or on aerodromes,
- (d) forcible intrusion on board an aircraft, at an airport or on the premises of an aeronautical facility,
- (e) introduction on board an aircraft or at an airport of a weapon or hazardous device or material intended for criminal purposes,
- (f) use of an aircraft in service for the purpose of causing death, serious bodily injury, or serious damage to property or the environment, and
- (g) communication of false information such as to jeopardize the safety of an aircraft in flight or on the ground, of passengers, crew, ground personnel or the general public, at an airport or on the premises of a civil aviation facility.

Aerial work - An aircraft operation in which an aircraft is used for specialized services such as agriculture, construction, photography, surveying, observation and patrol, search and rescue, and aerial advertisement.

Aircraft in flight - An aircraft from the moment when all its external doors are closed following embarkation until the moment when such doors are opened for disembarkation.

Aircraft in service - A parked aircraft which is under surveillance sufficient to detect unauthorised access.

Aircraft not in service - An aircraft that is either parked for a period of more than 12 hours or is not under surveillance sufficient to detect unauthorised access.

Aircraft Operator - “**Operator of Aircraft**” – the commercial air transport operator.

Aircraft security check - 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 - A thorough inspection of the interior and exterior of an aircraft for the purposes of discovering suspicious objects, weapons, explosives or other dangerous devices, articles or substances.

Airport - Any area which is open for commercial aircraft operations.

Airport Operator - A person or organisation whose name appears on licensed document of an airport.

Airside - The movement area of an airport, adjacent terrain and buildings or portions thereof, access to which is controlled.

Appropriate authority for aviation security - the authority designated by the State within its administration to be responsible for the development, implementation and maintenance of the national civil aviation security programme. In the United Arab Emirates it is the 'Competent Authority'.

Background check - A check of a person's identity and previous experience, including where legally permissible, any criminal history, as part of the assessment of an individual's suitability to implement a security control and/or for unescorted access to a security restricted area.

Baggage - Personal property of passengers or crew carried in the cabin or in the hold of an aircraft by agreement with the operator.

Bomb threat - A communicated threat, anonymous or otherwise, which suggests, or infers, whether true or false, that the safety of an aircraft in flight or on the ground, or any airport or civil aviation facility or any person may be in danger from an explosive or other item or device.

Cargo - Any property carried on an aircraft other than mail, stores and accompanied or mishandled baggage.

Cargo area - All the ground space and facilities provided for cargo handlings. It includes aprons, cargo buildings and warehouses, vehicle parks and roads associated therewith.

Catering stores - All items, other than catering supplies, associated with passenger in-flight services for example newspapers, magazines, headphones, audio and video tapes, pillow and blankets, and amenity kits.

Catering supplies - Food, beverages, other dry stores and associated equipment used on board an aircraft.

Certification - 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 Competent Authority.

Commercial air transport operation - An aircraft operation involving the transport of passengers, cargo or mail for remuneration or hire. (For the purposes of this regulation, the term aircraft operator will be used instead of commercial air transport operator.)

Competent Authority - see 'Appropriate authority for aviation security'.

Contingency plan - A proactive plan to include measures and procedures addressing various threat levels, risk assessments and the associated security measures to be implemented, designed to anticipate and mitigate events as well as prepare all concerned parties having roles and responsibilities in the event of an actual act of unlawful interference. A contingency plan sets forth incremental security measures that may be elevated as the threat increases. It may be a stand-alone plan or included as part of a Crisis Management Plan.

Corporate aviation - 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. (Note that Corporate aviation is a subset of general aviation).

Crew member - A person assigned by an operator to duty on an aircraft during a flight duty period.

Dangerous Goods - Articles or substances which are capable of posing a risk to health, safety, property or the environment and which are shown in the list of dangerous goods in the Technical Instructions or which are classified according to those Instructions.

Note - *Dangerous goods are classified in Annex 18, Chapter 3.*

Deportee - A person who had legally been admitted to a State by its authorities or who had entered a State illegally, and who at some later time is formally ordered by the competent authorities to leave that State.

Diplomatic pouch/bag - A shipping container having diplomatic immunity from search or seizure when accompanied by the required official documentation.

Disruptive passenger - A passenger who fails to respect the rules of conduct at an airport or on board an aircraft or to follow the instructions of the airport staff or crew members and thereby disturbs the good order and discipline at an airport or on board the aircraft.

Emergency Plan - A plan setting forth the procedures for coordinating the response of different aerodrome agencies or services and of those agencies in the surrounding community that could be of assistance in responding to an emergency.

Facilitation - The efficient management of a necessary control process, with the objective of expediting the clearance of persons or goods and preventing unnecessary operational delays.

Freight - See Cargo.

General aviation - An aircraft operation other than a commercial air transport operation or an aerial work operation.

High-risk cargo or mail - Cargo or mail presented by an unknown entity or showing signs of tampering *shall* be considered high risk if, in addition, it meets one of the following criteria:

- (a) specific intelligence indicates that the cargo or mail poses a threat to civil aviation; or
- (b) the cargo or mail shows anomalies that give rise to suspicion; or
- (c) the nature of the cargo or mail is such that baseline security measures alone are unlikely to detect prohibited items that could endanger the aircraft.

Regardless of whether the cargo or mail comes from a known or unknown entity, a State's specific intelligence about a consignment may render it as high risk.

Human factors principles - 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 - Human capabilities and limitations which have an impact on the safety, security and efficiency of aeronautical operations.

Inadmissible person - A person who is or will be refused admission to a State by its authorities.

Note - *Such a person normally has to be transported back to their State of departure, or to any other State where the persons are admissible, by the aircraft operator on which they arrived.*

In-flight security officer - A person who is authorised 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. This excludes persons employed to provide exclusive

personal protection for one or more specific people travelling on the aircraft, such as personal bodyguards.

Landside - The area of an airport and buildings to which both travelling passengers and the non-travelling public have unrestricted access.

Mail - All postal items tendered by and intended for delivery to designated postal operators to operate the postal service in accordance with the Universal Postal Union Acts.

Pilot in command (PIC) - The pilot designated by the operator, or in the case of general aviation, the owner, as being in command and charged with the safe conduct of a flight.

Screening - The application of technical or other means which are intended to identify and/or detect weapons, explosives or other dangerous devices, articles or substances which may be used to commit an act of unlawful interference.

Note - *Certain dangerous articles or substances are classified as dangerous goods by Annex 18 - the Safe Transport of Dangerous Goods by Air and the associated Technical Instructions for the Safe Transport of Dangerous Goods by Air (Doc 9284) and must be transported in accordance with those instructions.*

Security - Safeguarding civil aviation against acts of unlawful interference. This objective is achieved by a combination of measures and human and material resources.

Security audit - An in-depth compliance examination of all aspects of the implementation of the national civil aviation security programme.

Security control - A 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 equipment - Devices of a specialized nature for use, individually or as part of a system, in the prevention or detection of acts of unlawful interference with civil aviation and its facilities.

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

Security inspection - 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 programme - Written measures adopted to safeguard international civil aviation against acts of unlawful interference.

Security restricted area - 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. Such areas will normally include, *inter alia*, all commercial aviation passenger departure areas between the screening checkpoint and the aircraft, the ramp, baggage make-up areas, including those where aircraft are being brought into service and screened baggage and cargo are present, cargo sheds, mail centres, airside catering and aircraft cleaning premises.

Security survey - An evaluation of security needs including the identification of vulnerabilities which could be exploited to carry out an act of unlawful interference, and the recommendation of corrective actions.

Security test - A covert or overt trial of an aviation security measure which simulates an attempt to commit an unlawful act.

Sensitive Aviation Security Information - Information that, if accessed by or disclosed to unauthorized persons, could create or be used to exploit a vulnerability or facilitate an act of unlawful interference against civil aviation.

Stores (Supplies) -

- for consumption. Goods, whether or not sold, intended for consumption by the passengers and the crew on board an aircraft, and goods necessary for the operation and maintenance of the aircraft, including fuel and lubricants.

- to be taken away. Goods for sale to passengers and crew of an aircraft with a view to being landed.

Transfer cargo and mail - Cargo and mail departing on an aircraft other than that on which it arrived.

Transfer passengers and baggage - Passengers and baggage making direct connections between two different flights.

Transit passengers - Passengers departing from an airport on the same flight as that on which they arrived.

Unidentified baggage - Baggage at an airport, with or without a baggage tag, which is not picked up by or identified with a passenger.

CHAPTER 1 – APPLICABILITY**1.1 Applicability**

1.1.1 The provisions of these regulations *shall* apply in respect of:

- (a) civil aviation operations;
- (b) acts of unlawful interference; and
- (c) other acts which, whether or not they are offences, may or do jeopardise the safety of the aircraft or of persons or property therein or which jeopardise good order and discipline on board.

CHAPTER 2 - GENERAL PRINCIPLES**2.1 Primary Objective**

2.1.1 The primary objective of these regulations is the safety of passengers, crew, ground personnel and the general public in all matters related to safeguarding against acts of unlawful interference with civil aviation in the UAE.

2.2 Competent Authority

2.2.1 The Appropriate authority for aviation security in the United Arab Emirates is the Competent Authority, which is the General Civil Aviation Authority.

2.2.2 The Competent Authority is responsible for ensuring the development and implementation of regulations, practices and procedures to safeguard civil aviation against acts of unlawful interference taking into account the safety, regularity and efficiency of flights.

2.2.3 The Competent Authority **shall** ensure that regulations, practices and procedures are established to:

(a) protect the safety of passengers, crews, ground personnel and the general public in matters related to safeguarding civil aviation against acts of unlawful interference, and

(b) counter any increased security threat.

2.2.4 Airport Operators, Aircraft Operators, and other entities with aviation security responsibilities **shall** report security incidents in accordance with national requirements.

2.2.5 Sensitive aviation security information **shall** be protected by entities concerned with or responsible for aviation security.

2.3 International Cooperation

2.3.1 The Competent Authority **shall** ensure that requests from other States for additional security measures in respect of a specific flight(s) by operators of such other States are met, as far as may be practicable.

2.3.2 The Competent Authority **shall** cooperate with other States in the development and exchange of information concerning National Civil Aviation Security Programme, National Civil Aviation Security Training Programme and National Civil Aviation Security Quality Control Programme, as necessary.

2.3.3 The Competent Authority **shall** share with other States threat information that applies to the aviation security interests of those States, to the extent practicable.

2.3.4 The Competent Authority **shall** establish and implement suitable protection and handling procedures for security information shared by other States, or security information that affects the security interests of other States, in order to ensure that inappropriate use or disclosure of such information is avoided.

2.4 Security Equipment

2.4.1 The Airport Operators and relevant entities **shall** employ security equipment, where appropriate, to the extent operationally, technically and financially practicable, to achieve civil aviation security objectives.

CHAPTER 3 - ORGANISATION**3.1 National Organisation and Competent Authority**

- 3.1.1 The Competent Authority **shall** develop, implement and maintain a written National Civil Aviation Security Programme to safeguard civil aviation operations against acts of unlawful interference.
- 3.1.2 The Competent Authority in coordination with relevant national authorities **shall** keep under constant review the level of threat to civil aviation within the United Arab Emirates and adjust relevant elements of its National Civil Aviation Security Programme based upon national risk assessment.
- 3.1.3 The Competent Authority **shall** define, and coordinate activities between national authorities, Airport Operators, Aircraft Operators and other entities concerned with or responsible for the implementation of various aspects of the national civil aviation security programme.
- 3.1.4 The Competent Authority **shall** establish a National Civil Aviation Security and Facilitation Committee for the purpose of coordinating security and facilitation activities between the entities having responsibility for implementing the various aspects of the National Civil Aviation Security Programme and National Civil Aviation Facilitation Programme.
- 3.1.5 The Competent Authority **shall** develop, implement and maintain a National Civil Aviation Security Training Programme for personnel of all entities involved with or responsible for the implementation of various aspects of the National Civil Aviation Security Programme. This programme **shall** ensure the effectiveness of the National Civil Aviation Security Programme and include the requirements for personnel and entities that require certification.
- 3.1.6 Airport Operators **shall** ensure that supporting resources and facilities required by aviation security services are made available at airports serving civil aviation.
- 3.1.7 The Competent Authority **shall** make available to Airport Operators, Aircraft Operators, Air Traffic Service providers and concerned entities a written version of the appropriate parts of the National Civil Aviation Security Programme and/or relevant information or guidelines to enable them to meet the requirements of the National Civil Aviation Security Programme.
- 3.1.8 Airport Operators, Aircraft Operators and other required entities **shall** nominate a person in their respective organisation responsible for coordination and implementation of security measures in accordance with national requirements.
- 3.1.9 The Competent Authority **shall**, when required, issue Security Directives and Security Instructions to any operator or entity for the purpose of implementation of these regulations, including additional aviation security measures and procedures.

3.2 Airport Operations

- 3.2.1 Airport Operators serving civil aviation **shall** implement and maintain a written Airport Security Programme appropriate to meet the requirements of the National Civil Aviation Security Programme.
- 3.2.2 Entities with aviation security responsibilities **shall** develop, implement and maintain a written security programme to meet the requirements of the Airport Security Programme and the National Civil Aviation Security Programme.
- 3.2.3 Airport Operators **shall** establish an Airport Security Committee to ensure coordination and implementation of security measures and procedures specified in the Airport Security Programme.
- 3.2.4 Airport Operators **shall** ensure that airport design requirements, including architectural and infrastructure-related requirements necessary for the implementation of the security measures in the National Civil Aviation Security Programme, are integrated into the design and construction of new, and alterations to existing, facilities.
- 3.2.5 Airport Operators **shall** notify the Competent Authority in writing about any impending changes, modifications to be made on and off airport including any airport design that has direct or indirect impact on security.

3.3 Aircraft Operators

- 3.3.1 Aircraft Operators providing service from United Arab Emirates **shall** establish, implement and maintain a written Aircraft Operator Security Programme appropriate to meet the requirements of the National Civil Aviation Security Programme.
- 3.3.2 Entities conducting General aviation operations and Aerial work operations **shall** meet national requirements.

3.4 Quality Control

- 3.4.1 The Competent Authority **shall** ensure that persons implementing security controls are subject to background checks and selection procedures.
- 3.4.2 The Competent Authority **shall** ensure that persons implementing security controls possess competencies required to perform their duties and are appropriately trained according to the requirements of the National Civil Aviation Security Programme and that appropriate records are maintained up to date. Initial and periodic assessments **shall** be introduced to maintain established standards of performance.
- 3.4.3 Persons carrying out screening operations **shall** be certified in accordance with national requirements.

- 3.4.4 The Competent Authority **shall** develop, implement and maintain a National Civil Aviation Security Quality Control Programme.
- 3.4.5 The Competent Authority **shall** ensure the implementation of security measures is regularly subjected to verification of compliance with the National Civil Aviation Security Programme. The priorities and frequency of monitoring **shall** be determined on the basis of national risk assessment.
- 3.4.6 The Competent Authority **shall** conduct quality control monitoring activities to verify compliance with the National Civil Aviation Security Programme and to provide for effective rectification of deficiencies.
- 3.4.7 The Competent Authority **shall** ensure that the management, setting of priorities and organisation of the National Civil Aviation Security Quality Control Programme **shall** be undertaken independently from the entities and persons responsible for the implementation of the measures taken under the National Civil Aviation Security Programme, and ensure that:
- (a) personnel carrying out quality control monitoring activities are trained to appropriate national standards.
 - (b) personnel carrying out quality control monitoring activities are afforded the necessary authority to obtain information to carry out these tasks and to enforce corrective actions.
 - (c) supplement the National Civil Aviation Security Quality Control Programme by establishing a confidential reporting system for analysing security information provided by sources such as passengers, crew, ground personnel, etc.
 - (d) results of the National Civil Aviation Security Quality Control Programme are maintained and analysed to contribute to the effective development and implementation of the National Civil Aviation Security Programme.
- 3.4.8 In the event of an act of unlawful interference, the Competent Authority **shall** re-evaluate security controls and procedures and take action to remedy weaknesses so as to prevent recurrence. These actions **shall** be shared with ICAO.

3.5 Air Traffic Service Providers

- 3.5.1 Air Traffic Service providers in the United Arab Emirates **shall** establish and implement security provisions that meet the requirements of the National Civil Aviation Security Programme.

CHAPTER 4 - PREVENTIVE SECURITY MEASURES**4.1 Measures Relating to Access Control**

4.1.1 Airport Operators **shall** control access to airside at airports serving civil aviation and implement security controls to prevent:

(i) unauthorised entry; and

(ii) weapons, explosives or any other dangerous devices, articles or substances, which may be used to commit an act of unlawful interference, the carriage or bearing of which is not authorized, from being introduced, by any means whatsoever, on board an aircraft engaged in civil aviation .

4.1.2 Airport Operators **shall** establish security restricted areas based on risk assessment.

4.1.3 Airport Operators **shall** establish identification systems in respect of persons and vehicles to prevent unauthorised access to airside and security restricted areas. Identity **shall** be verified at designated checkpoints prior to granting access to aforementioned areas.

4.1.4 Airport Operators **shall** ensure that background checks are conducted on persons, other than passengers, prior to granting them unescorted access to airside and security restricted areas, and updated on a regular basis in accordance with security requirements.

4.1.5 Airport Operators **shall** control and supervise the movement of persons and vehicles to and from aircraft in security restricted areas to prevent unauthorised access to aircraft.

4.1.6 Airport Operators **shall** ensure that persons, other than passengers, together with items carried are screened prior to being granted access to security restricted areas.

4.1.7 Airport Operators **shall** ensure that vehicles being granted access to security restricted areas, including items contained therein are subject to screening and/or security controls.

4.2 Measures Relating to Aircraft

4.2.1 Aircraft Operators **shall** conduct aircraft security checks of originating aircraft engaged in commercial air transport movements. An aircraft security search **shall** be carried out based upon security risk assessments and national requirements.

4.2.2 Aircraft Operators **shall** ensure that any items left behind by passengers disembarking from transit flights are removed from the aircraft or otherwise dealt with appropriately before departure of an aircraft engaged in commercial air transport.

- 4.2.3 Aircraft Operators **shall** prevent unauthorised persons from entering the flight crew compartment during the flight.
- 4.2.4 Aircraft Operators **shall** ensure that an aircraft is protected from unauthorised interference from the time the aircraft security search or check has commenced until the aircraft departs.
- 4.2.5 Security controls **shall** be established to prevent acts of unlawful interference regardless of where an aircraft is parked within or outside security restricted areas.

4.3 Measures Relating to Passengers and their Cabin Baggage

- 4.3.1 Airport Operators **shall** establish measures to ensure that originating passengers of commercial air transport operations and their cabin baggage are screened prior to boarding an aircraft departing from a security restricted area.
- 4.3.2 Aircraft Operators **shall** establish measures to ensure that originating passengers of commercial air transport operations and their cabin baggage are subject to screening and/or security controls prior to boarding an aircraft departing from areas other than security restricted areas.
- 4.3.3 Airport Operators **shall** ensure that transfer passengers of commercial air transport operations and their cabin baggage are screened prior to boarding an aircraft unless other requirements prescribed by the Competent Authority are met.
- 4.3.4 Airport Operators **shall** ensure that passengers and their cabin baggage which have been screened are protected from unauthorised interference from the point of screening until they board their aircraft. If mixing or contact does take place, the passengers concerned and their cabin baggage **shall** be re-screened before boarding an aircraft.
- 4.3.5 Airport Operators **shall** establish measures to protect: transit passengers' cabin baggage from unauthorised interference and the integrity of the security of the airport.

4.4 Measures Relating to Hold Baggage

- 4.4.1 Airport Operators **shall** establish measures to ensure that originating hold baggage is screened prior to being loaded onto an aircraft departing from a security restricted area.
- 4.4.2 Airport Operators **shall** ensure that all hold baggage to be carried on an aircraft is protected from unauthorised interference from the point it is screened and accepted into the care of the Aircraft Operator until departure of the aircraft on which it is to be carried. If the integrity of hold baggage is jeopardised, the hold baggage **shall** be re-screened before being placed on an aircraft.

- 4.4.3 Aircraft Operators **shall** not transport the baggage of passengers who are not on board the aircraft unless that baggage is identified as unaccompanied and subjected to additional screening.
- 4.4.4 Airport Operators **shall** ensure that transfer hold baggage is screened prior to being loaded onto an aircraft unless other requirements prescribed by the Competent Authority are met.
- 4.4.5 Aircraft Operators **shall** only transport items of hold baggage which have been individually identified as accompanied or unaccompanied, screened to the appropriate standard and accepted for carriage on that flight. All such baggage **shall** be recorded as meeting these criteria and authorised for carriage on that flight.
- 4.4.6 Airport Operators **shall** establish procedures to deal with unidentified baggage.

4.5 Measures Relating to Cargo, Mail, Catering and Other goods

- 4.5.1 Aircraft Operators **shall** ensure that appropriate security controls, including screening where practicable are applied to cargo and mail, prior to their being loaded on-board an aircraft.
- 4.5.2 Airport Operators **shall** screen cargo and mail using appropriate method(s), taking into account the nature of the consignment.
- 4.5.3 Aircraft Operator **shall** ensure that cargo and mail to be carried on-board an aircraft is protected from unauthorised interference from the point screening or other security controls are applied until departure of the aircraft.
- 4.5.4 Airport Operators **shall** apply enhanced security measures to high-risk cargo and mail to mitigate associated threats where;
- (a) specific intelligence about a consignment indicates that the cargo or mail poses a threat to civil aviation; or
 - (b) the cargo or mail shows anomalies that give rise to suspicion; or
 - (c) the nature of the cargo or mail is such that baseline security measures alone are unlikely to detect prohibited items that could endanger the aircraft.
- 4.5.5 Airport Operators **shall** ensure that a security certificate, in an electronic or written form, is issued to confirm the security status of the cargo or mail that has been subjected to security screening or appropriate security controls.
- 4.5.6 Airport Operators **shall** ensure that transfer cargo and mail has been subjected to appropriate security controls prior to being loaded onto the aircraft.

4.5.7 Airport Operators **shall** ensure that catering, stores and supplies intended for carriage on aircraft are subjected to security controls and thereafter protected until loaded onto the aircraft.

4.5.8 Airport Operators **shall** ensure that merchandise and supplies introduced into security restricted areas are subject to appropriate security controls, which may include screening.

4.6 Measures Relating to Special Categories of Passengers

4.6.1 Airport and Aircraft Operators **shall** implement national requirements for the carriage of potentially disruptive passengers who are obliged to travel because they have been the subject of judicial or administrative proceedings.

4.6.2 Aircraft Operators providing service from the United Arab Emirates **shall** include in their security programmes measures and procedures to ensure safety on board their aircraft when passengers are to be carried, who are obliged to travel because they have been the subject of judicial or administrative proceedings.

4.6.3 Airport Operators **shall** ensure that the aircraft operator and the pilot-in-command are informed when passengers are obliged to travel because they have been the subject of judicial or administrative proceedings, in order that appropriate security controls can be applied.

4.6.4 Airport Operators **shall** ensure that the carriage of weapons on board aircraft by law enforcement officers and other authorised persons, acting in the performance of their duties requires special authorisation in accordance with laws of the United Arab Emirates.

4.6.5 Airport Operators **shall** notify the Aircraft Operators as to the number and identity of armed persons prior to boarding. Aircraft Operators **shall** ensure that the pilot-in-command is notified as to the number of armed persons and their seat location.

4.6.6 The Competent Authority in coordination with other national authorities **shall** consider requests by any other State to allow the travel of armed personnel, including In-flight security officers, on board aircraft of operators of the requesting State. Only after agreement by all States involved **shall** such travel be allowed.

4.6.7 Aircraft Operators **shall** ensure that the carriage of weapons in other cases is allowed only when an authorised and duly qualified person has determined that they are not loaded, if applicable, and then only if stowed in a place inaccessible to any person during flight time.

4.7 Measures Relating to the Landside

4.7.1 Airport Operators **shall** establish security measures in landside areas to mitigate possible threats of acts of unlawful interference in accordance with a risk assessment.

4.8 Measures Relating to Cyber Threats

- 4.8.1 Measures *shall* be developed to protect information and communication technology systems used for civil aviation purposes from interference that may jeopardize the safety of civil aviation.

CHAPTER 5 - MANAGEMENT OF RESPONSE TO ACTS OF UNLAWFUL INTERFERENCE

5.1 Prevention

- 5.1.1 The Competent Authority in coordination with appropriate national authorities **shall**, when reliable information exists that an aircraft may be subjected to an act of unlawful interference, safeguard the aircraft if it is still on the ground and provide as much prior notification as possible of the arrival of such aircraft to relevant airports and air traffic services if the aircraft has already departed.
- 5.1.2 The Competent Authority in coordination with appropriate national authorities and concerned Airport Operator **shall** ensure that the aircraft is searched for concealed weapons, explosives or other dangerous devices, articles or substances when reliable information exists that an aircraft may be subject to an act of unlawful interference. Prior notification of the search should be provided to the Aircraft Operator concerned.
- 5.1.3 Airport Operators **shall** make arrangements to investigate, render safe and/or dispose of, if necessary, suspected dangerous devices or other potential hazards at airports.
- 5.1.4 The Competent Authority in coordination with appropriate national authorities and Airport Operators **shall** ensure that contingency plans are developed. Airport Operators **shall** ensure that resources are made available to safeguard civil aviation, against acts of unlawful interference. The contingency plans **shall** be tested on a regular basis.
- 5.1.5 Airport Operators in coordination with appropriate national authorities **shall** arrange for deployment of authorised and trained personnel to assist in dealing with suspected, or actual, cases of unlawful interference with civil aviation.

5.2 Response

- 5.2.1 Airport Operators in coordination with appropriate national authorities **shall** ensure the safety of passengers and crew of an aircraft, which is subjected to an act of unlawful interference, while on the ground, until their journey can be continued.
- 5.2.2 Air Traffic Services provider responsible for providing services for an aircraft which is the subject of an act of unlawful interference, **shall** collect all pertinent information on the flight of that aircraft and transmit that information to other Air Traffic Services units concerned, including those at the airport of known or presumed destination, so that timely and appropriate safeguarding action may be taken en route and at the aircraft's known, likely or possible destination.
- 5.2.3 Air Traffic Service provider in coordination with the concerned Airport Operator **shall** provide assistance to an aircraft subjected to an act of unlawful seizure, including the

provision of navigation aids, air traffic services and permission to land as may be necessitated by the circumstances.

- 5.2.4 Appropriate national authorities in coordination with the concerned Airport Operator **shall** take measures, as it may find practicable, to ensure that an aircraft subjected to an act of unlawful seizure which has landed in the territory of the United Arab Emirates is detained on the ground unless its departure is necessitated by the overriding duty to protect human life.
- 5.2.5 When an aircraft subjected to an act of unlawful interference has landed in the territory of the United Arab Emirates, the Competent Authority in coordination with appropriate national authorities **shall** notify by the most expeditious means the State of registry of the aircraft and the State of the operator of the aircraft about the landing. Subsequently, all other relevant information, when available, **shall** be expeditiously transmitted to:
- (a) the two above mentioned States;
 - (b) each State whose citizens suffered fatalities or injuries;
 - (c) each State whose citizens were detained as hostages;
 - (d) each State whose citizens are known to be on board the aircraft; and
 - (e) the International Civil Aviation Organisation.

5.3 Exchange of Information and Reporting

- 5.3.1 The Competent Authority **shall** provide International Civil Aviation Organisation with all pertinent information concerning the security aspects of an act of unlawful interference which has occurred in the territory of the United Arab Emirates, as soon as practicable, after the act is resolved.

CHAPTER 6 – OFFENCES AND CERTAIN OTHER ACTS COMMITTED ON BOARD AIRCRAFT

6.1 Jurisdiction

6.1.1 The jurisdiction of the United Arab Emirates *shall* include any offence under Section 6.2 of these regulations, if the act constituting the offence took place on board:

- (a) any aircraft registered in the United Arab Emirates; or any aircraft leased with or without crew to an operator whose principal place of business is in the United Arab Emirates or, if the operator does not have a principal place of business, whose permanent residence is in the United Arab Emirates; or
- (b) any aircraft on or over the territory of the United Arab Emirates; or
- (c) any other aircraft in flight outside the United Arab Emirates, if:
 - (i) the next landing of the aircraft is in the United Arab Emirates; and
 - (ii) the Pilot in command has delivered the suspected offender to the appropriate national authorities of the United Arab Emirates, with the request that the authorities prosecute the suspected offender and with the affirmation that no similar request has been or will be made by the pilot in command or the operator to any other State.

6.1.2 Appropriate national authorities may not interfere with a foreign registered aircraft in flight in order to exercise its criminal jurisdiction over an offence committed on board except in the following cases:

- (a) the offence has effect on the territory of United Arab Emirates; and
- (b) the offence has been committed by or against a national or permanent resident of the United Arab Emirates; and
- (c) the offence is against the security of United Arab Emirates; and
- (d) the offence consists of a breach of any rules or regulations relating to the flight or manoeuvre of aircraft in force in United Arab Emirates; and
- (e) the exercise of jurisdiction is necessary to ensure the observance of any obligation of United Arab Emirates under a multilateral international agreement.

6.2 Acts and Offences

6.2.1 Assault and Other Acts of Interference against a Crew Member on Board an Aircraft

Any person who commits on board an aircraft any of the following acts thereby commits an offence:

- (a) assault, intimidation or threat, whether physical or verbal, against a crew member if such act interferes with the performance of the duties of the crew member or lessens the ability of the crew member to perform those duties;
- (b) refusal to follow a lawful instruction given by the pilot in command , or on behalf of the pilot in command by a crew member, for the purpose of ensuring the safety of the aircraft or of any person or property on board or for the purpose of maintaining good order and discipline on board.

6.2.2 Assault and Other Acts Endangering Safety or Jeopardizing Good Order and Discipline on Board an Aircraft

Any person who commits on board an aircraft any of the following acts thereby commits an offence:

- (a) Any person who commits on board an aircraft an act of physical violence against a person or of sexual assault or molestation thereby commits an offence.
- (b) Any person who commits on board an aircraft any of the following acts thereby commits an offence if such act is likely to endanger the safety of the aircraft or of any person on board or if such act jeopardizes the good order and discipline on board the aircraft:
 - (i) assault, intimidation or threat, whether physical or verbal, against another person;
 - (ii) intentionally causing damage to, or destruction of, property;
 - (iii) consuming alcoholic beverages or drugs resulting in intoxication.

6.2.3 Other Offences Committed on Board an Aircraft

Any person who commits on board an aircraft any of the following acts thereby commits an offence:

- (a) smoking in a lavatory, or smoking elsewhere in a manner likely to endanger the safety of the aircraft;
- (b) tampering with a smoke detector or any other safety-related device on board the aircraft;
- (c) operating a portable electronic device when such act is prohibited.

CHAPTER 7 – POWERS OF PILOT IN COMMAND**7.1 Powers of Pilot in Command**

7.1.1 A Pilot in command may, when he/she has reasonable grounds to believe that a person has committed, or is about to commit, on board the aircraft, an offence or act, impose upon such person reasonable measures including restraint which are necessary to:

- (a) protect the safety of the aircraft, or of persons and property therein; or
- (b) maintain good order and discipline on board; or
- (c) enable him/her to deliver such person to competent authorities or to disembark him/her.

7.1.2 The Pilot in command may require or authorise the assistance of other crew members and may request or authorise, but not require, the assistance of passengers to restrain any person whom he/she is entitled to restrain. Any crew member or passenger may also take reasonable preventive measures without such authorization when he/she has reasonable grounds to believe that such action is immediately necessary to protect the safety of the aircraft, or of persons or property therein.

7.2 Measures of Restraint

7.2.1 Measures of restraint imposed upon a person **shall** not be continued beyond any point at which the aircraft lands unless:

- (a) such point is in the territory of a State and its authorities refuse to permit disembarkation of that person or those measures have been imposed in order to enable his/her delivery to competent authorities;
- (b) the aircraft makes a forced landing and Pilot in command is unable to deliver that person to competent authorities; or
- (c) that person agrees to onward carriage under restraint.

7.2.2 The Pilot in command **shall** as soon as practicable, and if possible before landing in the territory of a State with a person on board who has been placed under restraint, notify the authorities of such State of the fact that a person on board is under restraint and of the reasons for such restraint.

7.3 Disembarkation

- 7.3.1 The Pilot in command may, in so far as it is necessary disembark in the territory of a State in which the aircraft lands, any person who he/she has reasonable grounds to believe has committed, or is about to commit, on board the aircraft, an act or offence under these regulations.
- 7.3.2 The Pilot in command **shall** report to the authorities of the State in which he/she disembarks any person, the fact of, and the reasons for, such disembarkation.

7.4 Delivery to State Authorities

- 7.4.1 The Pilot in command may deliver to the authorities of the State in the territory of which the aircraft lands any person who he/she has reasonable grounds to believe has committed on board the aircraft an act, which, in his/her opinion, is a serious offence according to the penal law of the State of registration of the aircraft.
- 7.4.2 The Pilot in command **shall** as soon as practicable and if possible before landing in the territory of a State with a person on board whom the pilot in command intends to deliver, notify the authorities of such State of his/her intention to deliver such person and the reasons therefor.
- 7.4.3 The Pilot in command **shall** furnish the authorities to whom any suspected offender is delivered with evidence and information which, under the law of the State of registration of the aircraft, are lawfully in his/her possession.

7.5 Accountability

- 7.5.1 For actions taken under this Chapter, neither the Pilot in command, any other member of the crew, any passenger, the owner or operator of the aircraft, nor the person on whose behalf the flight was performed **shall** be held responsible in any proceeding on account of the treatment undergone by the person against whom the actions were taken.

CHAPTER 8 – FAILURE TO COMPLY WITH OBLIGATIONS UNDER THESE REGULATIONS

8.1 Failure to Comply With Obligations under These Regulations

- 8.1.1 Any person and/or entity that contravene any provision of these regulations may be held liable and/or be subject to further action as determined under the laws of the United Arab Emirates.