



CIVIL AVIATION REGULATIONS
PART VII
AVIATION SECURITY REGULATIONS

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FOREWORD

The structure and substance of these regulations are based on the International Civil Aviation Organization (ICAO) Annex 17 Aviation Security - Safeguarding International Civil Aviation Against Acts of Unlawful Interference to the Convention on International Civil Aviation, (the Chicago Convention) taking into consideration its amendments, and other related annexes, as appropriate.

It also takes into account 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, 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

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, aerial advertisement etc.

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".

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

Background check - 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, in accordance with national legislation.

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

Behaviour detection - Within an aviation security environment, the application of techniques involving the recognition of behavioural characteristics, including but not limited to physiological or gestural signs indicative of anomalous behaviour, to identify persons who may pose a threat to civil aviation.

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 Competent Authority 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.

Competent Authority - refer to "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 operation - An aircraft operation other than a commercial air transport operation or an aerial work operation.

High-risk cargo or mail - Cargo or mail which is deemed to pose a threat to civil aviation as a result of specific intelligence; or shows anomalies or signs of tampering which give rise to suspicion.

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 - Those parts of an airport, adjacent terrain and buildings or portions thereof that are not airside, as identified by Airport Operators and relevant entities in their security programmes.

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.

Regulated agent - An agent, freight forwarder or any other entity who conducts business with an aircraft operator and provides security controls that are accepted or required by the Competent Authority in respect of cargo or mail.

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 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 culture - A set of security-related norms, values, attitudes and assumptions that are inherent in the daily operation of an organization and are reflected by the actions and behaviours of all entities and personnel within the organization.

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 announced or unannounced examination of the effectiveness of the implementation of specific security measures.

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.

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.

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.

Unpredictability - The implementation of security measures in order to increase their deterrent effect and their efficiency, by applying them at irregular frequencies, different locations and/or with varying means, in accordance with a defined framework.

CHAPTER 1 – APPLICABILITY

1.1 Applicability

1.1.1 These regulations **shall** apply to:

- (a) safeguarding civil aviation against acts of unlawful interference; and
- (b) 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.

1.1.2 Measures designed to safeguard against acts of unlawful interference **shall** be applied to domestic operations to the extent practicable, based upon a security risk assessment carried out by the relevant national authorities.

CHAPTER 2 - GENERAL PRINCIPLES

2.1 Objectives

- 2.1.1 The primary objective of the United Arab Emirates 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.
- 2.1.2 The Competent Authority is responsible for ensuring the development, maintenance and implementation of regulations, National Civil Aviation Security Programme and other related programmes, practices and procedures to safeguard civil aviation against acts of unlawful interference taking into account the safety, regularity and efficiency of flights.
- 2.1.3 The Competent Authority **shall** ensure that regulations, practices and procedures are established to protect the safety of passengers, crews, ground personnel and the general public in all matters related to safeguarding civil aviation against acts of unlawful interference, and are capable of responding rapidly to meet any increased security threat.
- 2.1.4 Sensitive aviation security information **shall** be protected by entities concerned with or responsible for aviation security.

2.2 International Cooperation

- 2.2.1 The Competent Authority when requesting additional security measures from other State for a specific flight(s) **shall** ensure appropriate consultation and give consideration to alternative measures of the other State that are equivalent to those requested.
- 2.2.2 The Competent Authority **shall** ensure that requests received 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.
- 2.2.3 The Competent Authority **shall** cooperate with other States in the development and exchange of information concerning national civil aviation security programmes, training programmes and quality control programmes, as necessary.
- 2.2.4 The Competent Authority **shall** establish and implement procedures to share with other States, in a timely manner, threat information that applies to the aviation security interests of those States, to the extent practicable.

- 2.2.5 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.

2.3 Security Equipment

- 2.3.1 Airport Operators and relevant entities **shall** use security equipment, where appropriate, and consider the use of advanced security equipment when investing in new equipment, to achieve civil aviation security objectives.

CHAPTER 3 - ORGANISATION

3.1 National Organisation and Competent Authority

- 3.1.1 The Appropriate authority for aviation security in the United Arab Emirates is the Competent Authority, which is the General Civil Aviation Authority.
- 3.1.2 The Competent Authority **shall** develop, ensure implementation and maintain a written National Civil Aviation Security Programme to safeguard civil aviation operations against acts of unlawful interference, through regulations, practices and procedures which take into account the safety, regularity and efficiency of flights.
- 3.1.3 The Competent Authority in coordination with relevant national authorities **shall** keep under constant review the level and nature of threat to civil aviation within the United Arab Emirates territory and airspace above it, and adjust relevant elements of its National Civil Aviation Security Programme based upon national risk assessment.
- 3.1.4 The Competent Authority **shall** define and allocate tasks, and coordinate activities between national authorities, airport operators, 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.
- 3.1.5 The Competent Authority **shall** establish and implement procedures to share, as appropriate, with relevant Airport Operators, Aircraft Operators, Air Traffic Service providers or other entities concerned, in a practical and timely manner, relevant information to assist them to conduct effective security risk assessments relating to their operations.
- 3.1.6 The United Arab Emirates has established a National Civil Aviation Security and Facilitation Committee for the purpose of coordinating security and facilitation activities between national entities having responsibility for implementing the various aspects of the National Civil Aviation Security Programme and National Air Transport Facilitation Programme.
- 3.1.7 Airport Operators **shall** ensure that supporting resources and facilities required by aviation security services are made available at each airport serving civil aviation.
- 3.1.8 The Competent Authority **shall** make available to relevant UAE 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.

3.1.9 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.

3.1.10 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** establish, implement and maintain a written Airport Security Programme appropriate to meet the requirements of the National Civil Aviation Security Programme.

3.2.2 Airport Operators **shall** be responsible for coordinating the implementation of security controls at their respective airports.

3.2.3 Airport Operators **shall** establish an Airport Security and Facilitation Committee at their respective airports to assist in the coordination and implementation of security controls and procedures as specified in the airport security programme, and facilitation activities regarding various aspects of international civil aviation.

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 The United Arab Emirates Aircraft Operators **shall** establish, implement and maintain a written Aircraft Operator Security Programme appropriate that meets the requirements of the National Civil Aviation Security Programme.

3.3.2 Foreign Aircraft Operators providing service to and from the United Arab Emirates **shall** establish, implement and maintain written supplementary station procedures that meet the requirements of the United Arab Emirates National Civil Aviation Security Programme.

3.3.3 Entities conducting General aviation operations and Aerial work operations **shall** meet national requirements.

3.4 Training, Qualifications and Security Culture

- 3.4.1. The Competent Authority **shall** develop, implement and maintain a National Civil Aviation Security Training Policy for all personnel involved with or responsible for the implementation of various aspects of the National Civil Aviation Security Programme. This training policy **shall** be designed to ensure the effectiveness of the National Civil Aviation Security Programme.
- 3.4.2 The Competent Authority **shall** ensure that all aviation security training programmes for personnel with responsibilities under the national civil aviation security programme include an assessment of competencies to be acquired and maintained for initial and recurrent training.
- 3.4.3 The Competent Authority **shall** ensure the development and implementation of a certification system that ensures that instructors are qualified in the applicable subject matters in accordance with national requirements.
- 3.4.4 The Competent Authority **shall** ensure that persons carrying out screening operations are certified in accordance with national requirements to ensure that performance standards are consistently and reliably achieved.
- 3.4.5 The Competent Authority **shall** ensure that the personnel carrying out security audits, tests and inspections are trained to appropriate standards for these tasks in accordance with the National Civil Aviation Security Programme.
- 3.4.6 All personnel involved with or responsible for the implementation of various aspects of the National Civil Aviation Security Programme and those authorized to have unescorted access to airside areas **shall** receive initial and recurrent security awareness training.

3.5 Quality Control

- 3.5.1 The Competent Authority **shall** develop, implement and maintain a National Civil Aviation Security Quality Control Programme to regularly determine compliance with and validate the effectiveness of its National Civil Aviation Security Programme. The priorities and frequency of oversight activities **shall** be determined on the basis of risk assessments carried out by the relevant authorities and include security audits, inspections and tests to provide for the rapid and effective rectification of any deficiencies. The National Civil Aviation Security Quality Control Programme **shall** include the following elements:

- (a) independence of those conducting oversight from those applying measures implemented under the National Civil Aviation Security Programme;

- (b) the personnel conducting oversight are trained to appropriate national standards;
- (c) the personnel conducting oversight have the necessary authority to obtain all relevant information to carry out these tasks and to enforce corrective actions;
- (d) a confidential reporting system for analysing security information provided by sources such as passengers, crew and ground personnel; and
- (e) a process to record and analyse the results of the National Civil Aviation Security Quality Control Programme, in order to contribute to the effective development and implementation of the National Civil Aviation Security Programme, including identifying the causes and patterns of non-compliance and verifying that corrective actions have been implemented and sustained.

3.5.2 Relevant entities **shall** ensure that:

- (a) background checks are completed in respect of persons implementing security controls, persons with unescorted access to security restricted areas, and persons with access to sensitive aviation security information prior to their taking up these duties or accessing such areas or information;
- (b) recurrent background checks are applied to such persons at intervals defined by the national requirements; and
- (c) persons found unsuitable by any background check are immediately denied the ability to implement security controls, unescorted access to security restricted areas, and access to sensitive aviation security information.

3.5.3 Entities responsible for the implementation of relevant elements of the National Civil Aviation Security Programme **shall** periodically verify that the implementation of security measures outsourced to external service providers is in compliance with the entity's security programme.

3.6 Air Traffic Service Providers

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

CHAPTER 4 - PREVENTIVE SECURITY MEASURES

4.1 Objective

- 4.1.1 Measures **shall** be established to prevent 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 Randomness and unpredictability **shall** be used in the implementation of security measures, as appropriate.
- 4.1.3 Procedures **shall** be established at each airport to deal with unidentified baggage and suspicious objects in accordance with a security risk assessment carried out by relevant national authorities.

4.2 Measures Relating to Access Control

- 4.2.1 Airport Operators **shall** control access to airside areas in order to prevent unauthorized entry.
- 4.2.2 Airport Operators **shall** establish security restricted areas based on security risk assessment carried out by the relevant national authorities.
- 4.2.3 Airport Operators **shall** establish and implement identification systems in respect of persons and vehicles to prevent unauthorised access to airside and security restricted areas. Access **shall** be granted only to those with an operational need or other legitimate reason to be there. Identity and authorization **shall** be verified at designated checkpoints prior to granting access to aforementioned areas.
- 4.2.4 Airport Operators and Aircraft Operators **shall** ensure that the movement of persons and vehicles to and from aircraft in security restricted areas is supervised to prevent unauthorised access to aircraft.
- 4.2.5 Airport Operators **shall** ensure that persons other than passengers, together with items carried are screened prior to entry into security restricted areas.
- 4.2.6 Airport Operators **shall** ensure the use of appropriate screening methods that are capable of detecting the presence of explosives and explosive devices carried by persons other than passengers on their persons or in their items carried. Where these methods are not applied continuously, they **shall** be used in an unpredictable manner.

- 4.2.7 Airport Operators **shall** ensure that vehicles being granted access to security restricted areas, together with items contained within them, are subject to screening or other appropriate security controls in accordance with a risk assessment carried out by the relevant national authorities.

4.3 Measures Relating to Aircraft

- 4.3.1 Aircraft Operators **shall** ensure that aircraft security checks of originating aircraft engaged in commercial air transport movements are performed or an aircraft security search is carried out. The determination of whether it is an aircraft security check or a search that is appropriate **shall** be based upon a security risk assessment carried out by the relevant national authorities.
- 4.3.2 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 flights.
- 4.3.3 Aircraft Operators of the United Arab Emirates engaged in commercial flights **shall** take measures as appropriate to ensure that unauthorized persons are prevented from entering the flight crew compartment.
- 4.3.4 Aircraft Operators **shall** ensure that an aircraft subject to CAR Part VII - 4.3.1 is protected from unauthorised interference from the time the aircraft search or check has commenced until the aircraft departs.
- 4.3.5 Appropriate measures on the ground and/or operational procedures **shall** be established to mitigate possible attack against aircraft with Man-Portable Air Defence Systems (MANPADS) and other weapons representing similar threat to aircraft at or near an airport, in accordance with the risk assessment carried out by relevant national or local authorities.

4.4 Measures Relating to Passengers and their Cabin Baggage

- 4.4.1 Airport Operators **shall** 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.
- 4.4.2 Airport Operators **shall** ensure the use of appropriate screening methods that are capable of detecting the presence of explosives and explosive devices carried by passengers on their persons or in cabin baggage. Where these methods are not applied continuously, they **shall** be used in an unpredictable manner.

- 4.4.3 Airport Operators **shall** ensure that transfer passengers of commercial air transport operations and their cabin baggage are screened prior to boarding an aircraft.
- 4.4.4 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.
- 4.4.5 Airport Operators **shall** establish measures to protect transit passengers and their cabin baggage from unauthorised interference and protect the integrity of the security of the airport.

4.5 Measures Relating to Hold Baggage

- 4.5.1 Airport Operators **shall** ensure that originating hold baggage is screened prior to being loaded onto an aircraft engaged in commercial air transport operations departing from a security restricted area.
- 4.5.2 Airport Operators **shall** ensure the use of appropriate screening methods that are capable of detecting the presence of explosives and explosive devices in hold baggage. The appropriate standards for screening of hold baggage **shall** be defined by the Competent Authority.
- 4.5.3 Airport Operators **shall** ensure that all hold baggage to be carried on an aircraft engaged in commercial air transport operations is protected from unauthorised interference from the point it is screened or accepted into the care of the Aircraft Operator, whichever is earlier 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.
- 4.5.4 Aircraft Operators engaged in commercial air transport operations **shall** not transport the baggage of persons who are not on board the aircraft unless that baggage is identified as unaccompanied and subjected to appropriate screening.
- 4.5.5 Airport Operators **shall** ensure that transfer hold baggage is screened prior to being loaded onto an aircraft.
- 4.5.6 Aircraft Operators engaged in commercial air transport operations **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 should be recorded as meeting these criteria and authorised for carriage on that flight.

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

- 4.6.1 Airport Operators **shall** ensure that appropriate security controls, including screening where practicable, are applied to cargo and mail, prior to their being loaded onto an aircraft engaged in commercial air transport operations.
- 4.6.2 The Competent Authority **shall** ensure that a supply chain security process is established for cargo and mail, which includes facility security, personnel security, security controls for cargo and mail, protection of secure cargo and mail, and chain of custody implemented by entities operating within the secure supply chain.
- 4.6.3 Airport Operators **shall** ensure that, where screening of cargo and mail is conducted, screening is carried out using an appropriate method or methods, taking into account the nature of the consignment.
- 4.6.4 Airport Operators and Aircraft Operators, as appropriate, **shall** ensure that cargo and mail to be carried on a commercial aircraft are protected from unauthorised interference from the point screening or other security controls are applied until departure of the aircraft.
- 4.6.5 Airport Operators **shall** ensure that enhanced security measures are applied to high-risk cargo and mail to appropriately mitigate the threats associated with it.
- 4.6.6 Aircraft Operators **shall** ensure that cargo or mail is not accepted for carriage on an aircraft engaged in commercial air transport operations unless the application of screening or other security controls is confirmed and accounted for by an Airport Operator. Cargo and mail whose security status cannot be confirmed and accounted for **shall** be subjected to screening.
- 4.6.7 Airport Operators **shall** ensure that cargo and mail that has been confirmed and accounted for **shall** then be issued with a security status which **shall** accompany, either in an electronic format or in writing, the cargo and mail throughout the secure supply chain.
- 4.6.8 Airport Operators **shall** ensure that transfer cargo and mail has been subjected to appropriate security controls prior to being loaded on an aircraft engaged in commercial air transport operations.
- 4.6.9 Airport Operators **shall** ensure that catering, stores and supplies intended for carriage on commercial flights are subjected to appropriate security controls, which may include a supply chain security process or screening, and thereafter protected until loaded onto the aircraft.

- 4.6.10 Airport Operators **shall** ensure that merchandise and supplies introduced into security restricted areas are subjected to appropriate security controls, which may include a supply chain security process or screening.

4.7 Measures Relating to Special Categories of Passengers

- 4.7.1 The Competent Authority **shall** develop requirements for Aircraft Operators for the carriage of potentially disruptive passengers who are obliged to travel because they have been the subject of judicial or administrative proceedings.
- 4.7.2 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.
- 4.7.3 Aircraft Operator and the pilot-in-command **shall** be 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.
- 4.7.4 The carriage of weapons on board aircraft, by law enforcement officers and other authorised persons, acting in the performance of their duties, **shall** require special authorisation in accordance with laws of the United Arab Emirates and the States involved.
- 4.7.5 Pilot-in-command **shall** be notified as to the number of armed persons and their seat location.
- 4.7.6 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.
- 4.7.7 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.

4.8 Measures Relating to the Landside

- 4.8.1 Airport Operators **shall** identify landside areas at their respective airports.
- 4.8.2 Airport Operators **shall** establish security measures for landside areas to mitigate the risk and to prevent possible acts of unlawful interference in accordance with a risk assessment carried out by the relevant authorities or entities.

- 4.8.3 Landside security measures **shall** be coordinated in accordance with CAR Part VII – 3.1.6, 3.2.2 and 3.2.3, between relevant departments, agencies, organizations and entities, and their appropriate responsibilities for landside security identified in the National Civil Aviation Security Programme.

4.9 Measures Relating to Cyber Threats

- 4.9.1 Airport Operators, Aircraft Operators, Air Traffic Services Providers and other relevant entities as defined in the National Civil Aviation Security Programme or other relevant national documentation **shall** identify their critical information and communications technology systems and data used for civil aviation purposes and, in accordance with a risk assessment, develop and implement, as appropriate, measures to protect them from unlawful interference.

CHAPTER 5 - MANAGEMENT OF RESPONSE TO ACTS OF UNLAWFUL INTERFERENCE

5.1 Prevention

- 5.1.1 When reliable information exists that an aircraft may be subjected to an act of unlawful interference, the aircraft **shall** be safeguarded if it is still on the ground and as much prior notification as possible **shall** be provided of the arrival of such aircraft to relevant airports and air traffic services of the States concerned if the aircraft has already departed.
- 5.1.2 When reliable information exists that an aircraft may be subject to an act of unlawful interference, the aircraft **shall** be searched for concealed weapons, explosives or other dangerous devices, articles or substances. Prior notification of the search **shall** be provided to the 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 Contingency plans **shall** be developed by relevant entities and resources made available to safeguard civil aviation against acts of unlawful interference. The contingency plans **shall** be tested on a regular basis.
- 5.1.5 Authorised and suitably trained personnel **shall** be readily available for deployment at airports serving civil aviation to assist in dealing with suspected, or actual, cases of unlawful interference with civil aviation.
- 5.1.6 Information concerning incidents of acts of unlawful interference and preparatory acts thereto **shall** be reported in a practical and timely manner by any entity responsible for the implementation of the National Civil Aviation Security Programme to the Competent Authority and other relevant authorities, as appropriate, and as defined in the National Civil Aviation Security Programme, taking into account the protection of sensitive aviation security information.

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 Service Providers 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 enroute and at the aircraft's known, likely or possible destination.

- 5.2.3 Air Traffic Service Providers 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. These measures need to recognize the grave hazard attending further flight, and the importance of consultations, wherever practicable, with the State of the Operator of the aircraft, and notification to the States of assumed or stated destination.
- 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 landing and **shall** similarly transmit by the most expeditious means all other relevant information 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 When the United Arab Emirates is concerned with an act of unlawful interference, the Competent Authority **shall** provide International Civil Aviation Organisation with all pertinent information concerning the security aspects of the act of unlawful interference which has occurred in the territory of the United Arab Emirates, as soon as practicable, after the act is resolved.
- 5.3.2 When the United Arab Emirates is concerned with an act of unlawful interference, the Competent Authority **shall** re-evaluate security controls and procedures and, in a timely fashion, take action to remedy weaknesses so as to prevent recurrence.

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 the United Arab Emirates;
- (b) the offence has been committed by or against a national or permanent resident of the United Arab Emirates;
- (c) the offence is against the security of the United Arab Emirates;
- (d) the offence consists of a breach of any rules or regulations relating to the flight or manoeuvre of aircraft in force in the United Arab Emirates;
- (e) the exercise of jurisdiction is necessary to ensure the observance of any obligation of the 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 IFSO and/or 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.
- 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 thereof.
- 7.4.3 The Pilot in command **shall** furnish the authorities to whom any suspected offender is delivered with evidence and information which, is 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.

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