CONDUCT OF BACKGROUND CHECK

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Pursuant to Sections 3.4.1 and 4.2.4 in the Amendment 10 of the International Civil Aviation Organization (ICAO) Annex 17, this is a Transport Security Regulation (TSR) declaring the aerodome/ airport/ airside as a restricted area and any person gaining access thereto, must be cleared and certified approved by this Office after a prior background check.

RULE I
Coverage

Section 1. Coverage- All persons seeking access to restricted areas such as the aerodome/airport/airside is a security issue that needs the mandatory approval of this Office excepting those that maybe declared exempted pursuant to law or diplomatic conventions. This prior approval is upon a background check of an applicant for access to the airport “restricted areas”. The applicant for access to airport restricted areas must have been previously subjected to complete background investigation like newly recruited/ appointed security personnel.

RULE II
Kinds of Required Background Checks

Section 1. Comprehensive Background Check (CBC)

1.1

Comprehensive background checks are conducted on persons involved in the implementation of security controls regardless of whether these are holders of monthly, semi-annual or annual access.

1.2

Persons subject to CBC shall accomplish and submit their personal history statements, Barangay, NBI and PNP-DI clearances.

1.3

Actual deployment to the airside of airport of first time/original appointees by the airport authority/management security personnel shall be effected after undergoing the requisite CBC.

1.4

The conduct of CBC requires national and local agency checks and certain emphases as determined by the airport authority/management. This is done at least every three (3) years or as determined by the airport authority/management.

Section 2. Limited Background Check

2.1.

Limited background checks are conducted on persons other than passengers granted an unescorted access to

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security restricted areas of the airport. This includes persons deployed for work at the airside regardless of whether temporary or permanent in nature.

2.2.

The conduct of limited background check requires minimum national and local agency checks and certain emphases as determined by the airport authority/ management.

Section 3. Agencies Authorizing the Conduct of Background Check (BC)- Airport authorities/managements are the agencies that shall authorize the conduct of background checks.

Section 4. Agency to Conduct Background Check- The conduct of the back- ground check shall be the responsibility of the airport authority/management with the PNP-Aviation Security Group providing administrative and operational support.

Section 5. Depth of Checks- Each kind of background check shall date back to the last five (5) years and previous employments, if available.

Section 6. Inventory of Persons subjected to background checks thus granted access - Agencies authorizing the conduct of background checks as prerequisite to access to airport restricted areas shall submit inventory of persons subjected to BC and were subsequently access passes to same in monthly basis or as required by Office for Transportation Security (OTS).

Section 7. Construction – These rules shall be liberally construed in order to promote its security objectives.

Section 8. Reservation – Nothing herein shall be construed as precluding OTS through the Administrator from enforcing these rules in conducting inspection, investigation, evaluation, assessment and audit of the activities enunciated herein, and in prescribing other requirements to meet the constantly evolving challenges in transport security administration.

Section 9. Separability – If any provision or section of these rules is declared null and void by competent authority, the other stays and are not affected and shall remain in full force and effect.

Section 10. Effectivity – This Transport Security Regulation shall take effect immediately after publication in a newspaper of general circulation.

Adopted: 23 Oct. 2006

(SGD.) USEC. CECILIO R. PENILLA
Administrator, Office for Transportation Security

Approved by:

(SGD.) HON. LEANDRO R. MENDOZA
Secretary, Department of Transportation and Communications

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