POLICIES AND GUIDELINES TO ENHANCE HOLD BAGGAGE AND CARGO SECURITY

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Pursuant to the provisions of EO 277 as amended by EO 311 and the National Civil Aviation Security Program (NCASP), hereby promulgated are policies and guidelines for enhancing aircraft security.

I. RATIONALE

Aircraft security is as important on the ground as it is in the air. Thus there is an urgent need to enhance hold baggage and cargo security by putting in place security measures to secure hold baggage and cargo entering and exiting the aircraft hold.

II. SCOPE

This circular applies to all national aircraft operators and international airport operators.

III. SUPPLEMENTAL DEFINITIONS:

Agent - any person, company or organization engaged either directly or indirectly, whether by contractual agreement or otherwise, to carry out the duties on behalf of an aircraft operator, airport operator or air cargo operator

Appropriate authority for security - means the Office for Transportation Security as the State designated appropriate authority to implement the NCASP; ICAO Annex 17 pursuant to Executive Orders (EO) 277 and 311.

Aircraft operator - means the commercial operator of anyone or more aircraft holding an Air Operator Certificate or a Foreign Air Operator Certificate.

Aircraft operator security program - means the written security program developed by an aircraft operator which is approved by the OTS.

Airport operator - means an organization or entity, responsible for the management and coordination of airport operations, including airport security; also referred to as airport management.

Airport security program - means a written program detailing security measures and procedures in place at each airport serving civil aviation, in accordance with the requirements of the NCASP and approved by OTS.

Cabin baggage - means baggage intended for carriage in the cabin of an aircraft.

Hold baggage - means baggage and personal belongings accepted for transportation by an aircraft operator which is loaded into the hold of the aircraft, and to which a person will not have access while on board an aircraft.

Explosives - means explosive products, commonly known as “plastic explosives”, including explosives in flexible or elastic sheet form.

Security equipment - means 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 prohibited items - an object which can be used to commit an act of unlawful interference and that has not been properly declared and subjected to the applicable laws and regulations.

IV. POLICIES

A. All aircraft operators shall have CCTV system for monitoring all cargo and hold baggage entering and exiting the baggage loading area of the aircraft hold.

B. Hold baggage and cargo in transit to and from the baggage make up area and cargo facilities shall be protected to prevent introduction of security prohibited items.

C. All contracts entered into by the airport and aircraft operators with their agents shall include security provisions for appropriate fines and penalties in case of violation of the NCASP, ASP, AOSP and associated regulations.

V. RESPONSIBILITIES

A. OTS shall:

1. Assess and prescribe minimum standards for CCTV system used in civil aviation security based on the prevailing threat and risk factors.
2. Approve CCTV standard operating procedure of airport and aircraft operators.
3. Have an unrestricted access to all CCTV systems used by airport and aircraft operators as part of its risk assessment and quality control function.
4. Require airport and aircraft operators to submit reports of all security incidents.

B. Aircraft Operators shall:

1. Ensure that CCTV system is in place in the baggage holding area of the cargo hold.
2. Develop standard operating procedure for CCTV operation which shall form part of the AOSP. SOP shall cover protocols for incident response and investigation and provisions for logistics (i.e. manpower, communications, etc.)
3. Ensure that hold baggage and cargo transiting the baggage make up area and cargo facilities are appropriately protected to prevent introduction of security prohibited items.
4. Submit to OTS reports of all security incidents.
5. Ensure that contracts with its agents contains security provision prescribing penalties for violation of the NCASP, ASP and AOSP.

C. Airport Operators shall:

1. Ensure that CCTV system is in place at the hold baggage area.
2. Develop standard operating procedure for CCTV operation which shall form part of ASP. SOP shall cover protocols for incident response and investigation and provisions for logistics (i.e. manpower, communications, etc.)
3. Monitor the implementation of ASP provisions on hold baggage security.
4. Ensure that all vehicles and persons are screened prior entry to and exit from the hold baggage and cargo facility.
5. Submit to OTS reports of all security incidents.

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6. Ensure that contracts with its agents contains security provision prescribing penalties for violation of the NCASP, ASP and AOSP.

D. PNP AVSEGROUP shall:

1. Conduct monitoring of hold baggage and cargo operations.
2. Provide specialist response including but not limited to, anti-terrorist units, armed intervention and explosive device disposal;
3. Provide rapid armed response capability to major incidents at all international and domestic airports;

VI. GUIDELINES

A. National aircraft operators and international airport operators shall conform to the following guidelines on CCTV monitoring and operation:

1. CCTV system shall be used during loading and unloading of hold baggage and cargo and placed inside and with full view of the cargo hold of the aircraft.
2. Airport and aircraft operators shall appoint a security officer who shall be responsible for monitoring of and controlling access to the CCTV records.
3. Video signals coming from CCTV shall be stored on a removable hard drive with a capacity to store more than 12 hours of data and can be subjected to review by the airport operator, aircraft operator and OTS.
4. The storage medium shall be capable of retaining the information recorded for a minimum of one month.
5. The CCTV system shall be easily configured using a PC from a remote station and protected by security codes to maintain the integrity of the system.
6. Access to CCTV images shall be restricted to those staff authorized to do so in accordance with standard operating procedure of the airport and aircraft operators as approved by OTS.
7. All CCTV systems shall be maintained by the airport and aircraft operators.

VII. MISCELLANEOUS PROVISIONS

A. Construction - The provisions herein shall be liberally construed in order to promote civil aviation security objectives.

B. Reservation - Nothing herein shall be construed as precluding OTS, through its Administrator, from enforcing the provisions enunciated herein and in prescribing other requirements to meet the constantly evolving challenges in civil aviation security.

C. Amendments - Nothing in this circular shall restrict the authority of OTS, through its Administrator, to modify, amend or repeal any provision of the circular through subsequent issuances.

D. Repeal - All orders, rules, regulations and issuances, or parts hereof, which are inconsistent with this circular are hereby repealed or modified accordingly.

E. Separability - If any provision or section of these rules is declared null and void by competent authority, the remaining provisions shall not be affected and shall remain in full force and effect.

F. Effectivity - This memorandum circular shall take effect immediately. A copy of this circular shall be deposited with the University of the Philippines Law Center in compliance with Revised Administrative Code.

(SGD) USEC ARTURO M. EVANGELISTA
Administrator

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