



AIR NAVIGATION TECHNICAL REGULATIONS VOLUME II PART 17

SECURITY

29 January 2017

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A. FOREWORD

In accordance with Annex 17 to the Chicago Convention (1944)¹ and other international obligations the Civil Aviation Affairs of the Kingdom of Bahrain (CAA) is promulgating regulations which promote security. The ICAO Council, on 13 April 1948, adopted a resolution inviting the attention of Contracting States to the desirability of using in their own national regulations, as far as is practicable, the precise language of those ICAO Standards that are of a regulatory character and also of indicating departures from the Standards, including any additional national regulations that are important for the safety or regularity of air navigation. Wherever possible, the provisions of the Annexes to the Chicago Convention have been written in such a way as would facilitate incorporation, without major textual changes, into national legislation.²

Therefore, the Regulation at hand reproduces the provision of ICAO Annex 17 “Security” unchanged wherever possible and adapts it to the needs of the Kingdom of Bahrain wherever necessary.

The text does not take into account any (existing or planned) difference applicable in the Kingdom of Bahrain. According to Article 38 of the Chicago Convention, the Kingdom of Bahrain is obliged to communicate any difference between their national regulations and practices and the related ICAO Standards and Recommended Practices to ICAO and to publish in the AIP.

Any reference in the text to ICAO documents may be substituted by a reference to any existing CAA document (Manual, Instruction, Handbook) covering the same matters.

Hereinafter, wherever a reference is made to an ICAO Annex followed by a number, it shall refer to the Annex to the Chicago Convention (1944) corresponding to that number.

¹ Hereinafter: ICAO Annex 17.

² ICAO Annex 17, Foreword, p. (viii).

B. Remarks

To avoid any misunderstanding within this document:

1. The words 'shall' and 'must' indicate that compliance is compulsory.
2. The word 'should' indicates a recommendation. It does not mean that the compliance is optional but rather that, where insurmountable difficulties exist, the BCAR may accept an alternative means of compliance, and provided that an acceptable safety assurance from the authority shows that the safety requirements will not be reduced below that intended by the requirement.
3. The word 'can' or 'may' is used in a permissive sense to state authority or permission to do the act prescribed.
4. The word 'will' is used to express the future.
5. The "Notes" contained in the ICAO Annex 17 have not been included into the regulatory part of this Part. They have no regulatory function and, therefore, they may form a part of the handbooks, manuals etc. to Part 17 only.
6. This Part shall be used taking into account the other Annexes, the Aviation Security Manual (Doc 8973 — Restricted), Technical Instructions for the Safe Transport of Dangerous Goods by Air (Doc 9284), PANS-ATM and PANS-OPS bearing on the subject of action to be taken by the BCAA to prevent unlawful interference with civil aviation, or when such interference has been committed.

ABBREVIATIONS (USED IN THIS REGULATION)

ADREP - Accident/Incident Data Reporting

AIS - Aeronautical Information Services

ATS - Air Traffic Services

CAA - Civil Aviation Affairs

CNS - Communications, Navigation and Surveillance

CVR - Cockpit Voice Recorder

MTT - Ministry of Transportation and Telecommunication

MET - Meteorological Services

NCASP- National Civil Aviation Security Program

PANS - Procedures for Air Navigation Services

SAR – SEARCH AND RESCUE

SARPs - Standards and Recommended Practices

SDCPS - Safety Data Collection and Processing Systems

SMM - Safety Management Manual

SMP - Safety Management Panel

SMS - Safety Management System

SSP - State Safety Program

PUBLICATIONS (Referred to in this Regulation)

Convention on International Civil Aviation (Doc 7300)

Annexes to the Convention on International Civil Aviation:

Annex 1 — Personnel Licensing

Annex 6 — Operation of Aircraft

Part I — International Commercial Air Transport — Aeroplanes

Part II — International General Aviation — Aeroplanes

Part III — International Operations — Helicopters

Annex 8 — Airworthiness of Aircraft

Annex 11 — Air Traffic Services

Annex 13 — Aircraft Accident and Incident Investigation

Annex 14 — Aerodromes

Volume I — Aerodrome Design and Operations

Annex 17--- Security

Annex 18--- The Safe Transport of Dangerous Goods by Air

Procedures for Air Navigation Services:

ABC — ICAO Abbreviations and Codes (Doc 8400)

ATM — Air Traffic Management (Doc 4444)

Annex 19 --- Safety Management

MANUALS

Airworthiness Manual (Doc 9760)

Manual of Civil Aviation Medicine (Doc 8984)

Manual of Procedures for Establishment and Management of a State's Personnel Licensing System (Doc 9379)

Manual of Procedures for Operations Inspection, Certification and Continued Surveillance (Doc 8335)

Manual on Certification of Aerodromes (Doc 9774)

Manual on the Approval of Training Organizations (Doc 9841)

Safety Management Manual (SMM) (Doc 9859)

Safety Oversight Manual (Doc 9734) Part A — The Establishment and Management of a State's Safety Oversight System

Aviation Security Manual (Doc 8973 — Restricted)

Manual on Machine Readable Travel Documents (Doc 9303).

DEFINITIONS

When the following terms are used in this Regulation, they have the following meanings:

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

- unlawful seizure of aircraft,
- destruction of an aircraft in service,
- hostage-taking on board aircraft or on aerodromes,
- forcible intrusion on board an aircraft, at an airport or on the premises of an aeronautical facility,
- introduction on board an aircraft or at an airport of a weapon or hazardous device or material intended for criminal purposes,
- use of an aircraft in service for the purpose of causing death, serious bodily injury, or serious damage to property or the environment,
- 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 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 the aircraft for the purpose of discovering suspicious objects, weapons, explosives or other dangerous devices, articles or substances.

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

Authority: The Civil Aviation Affairs (CAA or BCAA)

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.

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

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 appropriate authority.

Commercial air transport operation: An aircraft operation involving the transport of passengers, cargo or mail for remuneration or hire.

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.)

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.

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 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, 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.

In-flight security officer: A person who is authorized by the government of the State of the Operator and the government of the State of Registration to be deployed on an aircraft with the purpose of protecting that aircraft and its occupants against acts of unlawful interference. This excludes persons employed to provide exclusive personal protection for one or more specific people travelling on the aircraft, such as personal bodyguards.

Operator: In the context of this regulation, this term refers to an AOC holder (airline), certified aviation bodies (ANSPs, Met service providers, airports, HLAs, security service providers etc.), and entities involved in the safe transport of dangerous goods by air.

Kingdom: The Kingdom of Bahrain.

Known consignor: A consignor who originates cargo or mail for its own account and whose procedures meet common security rules and standards sufficient to allow the carriage of cargo or mail on any aircraft.

NCASP: The National Civil Aviation Security Program of the Kingdom of Bahrain.

Regulated agent: An agent, freight forwarder or any other entity who conducts business with an operator and provides security controls that are accepted or required by the appropriate 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 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. In addition, the Aviation Security Manual (Doc 8973 — Restricted) provides a list of prohibited items that must never be carried in the cabin of an aircraft.

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 program.

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 inspection: An examination of the implementation of relevant national civil aviation security program requirements by an airline, airport, or other entity involved in security.

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.

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

This Regulation shall be applicable to security functions related to, or in direct support of, the safe operation of civil aircraft within the airspace and territory of the Kingdom of Bahrain, and the airspace delegated to it.

CHAPTER 2 - GENERAL PRINCIPLES

2.1 Objectives

2.1.1 The CAA and operators shall have as their primary objective 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 CAA develops and implements regulations, 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 CAA shall ensure that such regulations, practices and procedures:

a) protect 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; and

b) are capable of responding rapidly to meet any increased security threat.

2.1.4 The CAA and operators shall ensure appropriate protection of aviation security information.

2.2 Reserved

2.3 Security and facilitation

2.3.1 The CAA should whenever possible arrange for the security controls and procedures to cause a minimum of interference with, or delay to the activities of, civil aviation provided the effectiveness of these controls and procedures is not compromised.

2.4 International cooperation

2.4.1 The CAA shall ensure that requests from other Contracting 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. The requesting State shall give consideration to alternative measures of the Kingdom that are equivalent to those requested.

2.4.2 The CAA shall cooperate with other States in the development and exchange of information concerning national civil aviation security programs, training programs and quality control programs, as necessary.

2.4.3 The CAA shall establish and implement procedures to share with other Contracting States threat information that applies to the aviation security interests of those States, to the extent practicable.

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

2.4.5 The CAA shall share, as appropriate, and consistent with the sovereignty of the Kingdom, the results of any audit carried out by ICAO and the corrective actions taken by the Kingdom, if requested by another State.

2.4.6 The CAA shall include in each of its bilateral agreements on air transport a clause related to aviation security, taking into account the model clause developed by ICAO.

2.4.7 The CAA may make available to other Contracting States on request a written version of the appropriate parts of its national civil aviation security program.

2.4.8 The CAA shall notify ICAO where it has shared information under 2.4.5.

2.4.9 The CAA shall consider entering into collaborative arrangements in order to increase the sustainability of the aviation security system by avoiding unnecessary duplication of security controls. The arrangement shall be based on verification of equivalence of the security outcome ensured by the application of effective security controls at origin.

2.5 Equipment, research and development

2.5.1 The CAA shall promote research and development of new security equipment, processes and procedures which will better achieve civil aviation security objectives and should cooperate with other Contracting States in this matter.

2.5.2 The CAA and operators shall ensure that the development of new security equipment takes into consideration Human Factors principles.

2.5.3 The CAA and operators shall employ security equipment, where appropriate, to the extent operationally, technically and financially practicable, to achieve civil aviation security objectives.

CHAPTER 3. ORGANIZATION

3.1 National organization and appropriate authority

3.1.1 The CAA shall establish and implement a written national civil aviation security program (NCASP) to safeguard civil aviation operations against acts of unlawful interference which takes into account the safety, regularity and efficiency of flights.

3.1.2 The CAA shall be responsible for the development, implementation and maintenance of the national civil aviation security program (NCASP), and operators shall comply with this program.

3.1.3 The CAA shall keep under constant review the level of threat to civil aviation within its territory, and establish and implement policies and procedures to adjust relevant elements of its national civil aviation security program accordingly, based upon a security risk assessment carried out by the relevant national authorities.

3.1.4 The CAA shall define and allocate tasks and coordinate activities between the departments, agencies and other organizations of the Kingdom, airport and aircraft operators, air traffic service providers and other entities concerned with or responsible for the implementation of various aspects of the national civil aviation security program (NCASP).

3.1.5 The CAA shall establish a national aviation security committee or similar arrangements for the purpose of coordinating security activities between the departments, agencies and other organizations of the Kingdom, airport and aircraft operators, air traffic service providers and other entities concerned with or responsible for the implementation of various aspects of the national civil aviation security program (NCASP).

3.1.6 The CAA shall ensure the development and implementation by operators of a training program for personnel of all entities involved with or responsible for the implementation of various aspects of the national civil aviation security program (NCASP). These training programs shall be designed to ensure the effectiveness of the national civil aviation security program (NCASP).

3.1.7 Operators shall ensure the development and implementation of training programs and an instructor certification system in accordance with the national civil aviation security program (NCASP) and acceptable to the CAA.

3.1.8 Operators shall ensure that the supporting resources and facilities required by the aviation security services are available at each airport serving civil aviation to a level acceptable to the CAA.

3.1.9 The CAA shall make available to its airport and aircraft operators and air traffic service providers operating in its territory and other entities concerned, a written version of the appropriate parts of its national civil aviation security program and/or relevant information or guidelines enabling them to meet the requirements of the national civil aviation security program.

3.1.10 Operators shall ensure that personnel of all entities involved with or responsible for the implementation of various aspects of the national civil aviation security program and those authorized to have unescorted access to airside areas receive periodic security awareness training acceptable to the CAA.

3.2 Airport operations

3.2.1 Operators of each airport serving civil aviation shall establish, implement and maintain a written airport security program appropriate to meet the requirements of the national civil aviation security program (NCASP) acceptable to the CAA.

3.2.2 The CAA is responsible for coordinating the implementation of security controls at each airport serving civil aviation.

3.2.3 The operator of an airport shall ensure that an airport security committee at each airport serving civil aviation is established to assist the CAA in its role of coordinating the implementation of security controls and procedures as specified in the airport security program mentioned under 3.2.1.

3.2.4 The airport operator 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 program (NCASP), are integrated into the design and construction of new facilities and alterations to existing facilities at airports.

3.3 Aircraft operators

3.3.1 Operators providing service from the Kingdom shall establish, implement and maintain a written operator security program that meets the requirements of the national civil aviation security program of the Kingdom that is acceptable to the CAA.

3.3.2 Operators conducting general aviation operations, including corporate aviation operations, using aircraft with a maximum take-off mass greater than 5 700 kg, shall establish, implement and maintain a written operator security program that meets the requirements of the national civil aviation security program of the Kingdom that is acceptable to the CAA.

3.3.3 Each entity conducting aerial work operations shall establish, implement and maintain a written operator security program that meets the requirements of the national civil aviation security program of the Kingdom that is acceptable to the CAA. The program shall contain operations features specific to the type of operations conducted.

3.3.4 Operators shall take into account the ICAO model as a basis for operators' or entities' security programs under 3.3.1, 3.3.2 and 3.3.3.

3.3.5 Operators providing service from the Kingdom and participating in code-sharing or other collaborative arrangements with other operators shall notify the CAA of the nature of these arrangements, including the identity of the other operators.

3.4 Quality control

3.4.1 Operators shall ensure that the persons implementing security controls are subject to background checks and selection procedures acceptable to the CAA.

3.4.2 Operators shall ensure that the persons implementing security controls possess all competencies required to perform their duties and are appropriately trained according to the requirements of the national civil aviation security program (NCASP) acceptable to the CAA, and that appropriate records are maintained up to date. Relevant standards of performance shall be established and initial and periodic assessments shall be introduced to maintain those standards as acceptable to the CAA.

3.4.3 Operators shall ensure that the persons carrying out screening operations are certified according to the requirements of the national civil aviation security program (NCASP) or other regulation to ensure that performance standards are consistently and reliably achieved as acceptable to the CAA.

3.4.4 Operators shall develop, implement and maintain a quality control program to determine compliance with and validate the effectiveness of its compliance with the national civil aviation security program (NCASP) acceptable to the CAA.

3.4.5 Operators shall ensure that the implementation of security measures is regularly subjected to verification of compliance with the national civil aviation security program (NCASP). The priorities and frequency of monitoring shall be determined on the basis of risk assessment acceptable to the CAA.

3.4.6 Operators shall arrange for security audits, tests, surveys and inspections to be conducted on a regular basis, to verify compliance with the national civil aviation security program and to provide for the rapid and effective rectification of any deficiencies, as acceptable to the CAA.

3.4.7 Operators shall ensure that the management, setting of priorities and organization of the national civil aviation security quality control program shall be undertaken independently from the entities and persons responsible for the implementation of the measures taken under the national civil aviation security program. Operators shall also:

- a) ensure that the personnel carrying out security audits, tests, surveys and inspections are trained to appropriate standards for these tasks in accordance with the national civil aviation security program;
- b) ensure that the personnel carrying out security audits, tests, surveys and inspections 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 program by establishing a confidential reporting system for analysing security information provided by sources such as passengers, crew and ground personnel; and

d) establish a process to record and analyse the results of the national civil aviation security quality control program, to contribute to the effective development and implementation of the national civil aviation security program, including identifying the causes and patterns of non-compliance and verifying that corrective actions have been implemented and sustained, acceptable to the CAA.

3.4.8 Operators, when concerned with an act of unlawful interference, shall re-evaluate security controls and procedures and in a timely fashion take action necessary to remedy weaknesses so as to prevent recurrence. These actions shall be shared with the CAA.

3.4.9 Operators shall ensure that each entity responsible for the implementation of relevant elements of the national civil aviation security program periodically verifies that the implementation of security measures outsourced to external service providers is in compliance with the entity's security program.

3.5 Air traffic service providers

Air traffic service providers operating in the Kingdom shall establish and implement appropriate security provisions to meet the requirements of the national civil aviation security program of the Kingdom, acceptable to the CAA.

CHAPTER 4. PREVENTIVE SECURITY MEASURES

4.1 Objective

4.1.1 Operators shall establish measures 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 Operators shall promote the use of random and unpredictable security measures. Unpredictability could contribute to the deterrent effect of security measures.

4.2 Measures relating to access control

4.2.1 Operators shall ensure that the access to airside areas at airports serving civil aviation is controlled in order to prevent unauthorized entry.

4.2.2 Operators shall ensure that security restricted areas are established at each certified airport serving civil aviation based upon a security risk assessment carried out by the relevant national authorities.

4.2.3 Operators shall ensure that identification systems are established in respect of persons and vehicles in order to prevent unauthorized access to airside areas and security restricted areas. Identity shall be verified at designated checkpoints before access is allowed to airside areas and security restricted areas.

4.2.4 Operators shall ensure that background checks acceptable to the CAA are conducted on persons other than passengers granted unescorted access to security restricted areas of the airport prior to granting access to security restricted areas.

4.2.5 Operators shall ensure that the movement of persons and vehicles to and from the aircraft is supervised in security restricted areas in order to prevent unauthorized access to aircraft.

4.2.6 Operators shall ensure that persons other than passengers, together with items carried, prior to entry into airport security restricted areas serving international civil aviation operations, are subject to screening and security controls.

4.2.7 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 acceptable to the relevant national authorities.

4.2.8 Operators shall ensure that identity documents issued to aircraft crew members provide a harmonized and reliable international basis for recognition and validation of documentation to permit authorized access to airside and security restricted areas by conforming to the relevant specifications set forth in the current version of Doc 9303, Machine Readable Travel Documents, and that are acceptable to the CAA.

4.2.9 Operators shall ensure that checks specified in 4.2.4 be reapplied on a regular basis to all persons granted unescorted access to security restricted areas.

4.3 Measures relating to aircraft

4.3.1 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 and acceptable to the CAA.

4.3.2 Operators shall ensure that measures are taken to 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 Operators shall take measures as appropriate to ensure that during flight unauthorized persons are prevented from entering the flight crew compartment.

Note.— Provisions for security of the flight crew compartment of aircraft engaged in commercial air transportation are contained in ICAO Annex 6, Part I, Chapter 13, Section 13.2.

4.3.4 Operators shall ensure that an aircraft subject to 4.3.1 is protected from unauthorized interference from the time the aircraft search or check has commenced until the aircraft departs.

4.3.5 Operators shall ensure that security controls are established to prevent acts of unlawful interference with aircraft when they are not in security restricted areas.

4.4 Measures relating to passengers and their cabin baggage

4.4.1 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.

4.4.2 Operators shall ensure that transfer passengers of commercial air transport operations and their cabin baggage are screened prior to boarding an aircraft, unless it has established a validation process and continuously implements procedures, in collaboration with the other Contracting State where appropriate, to ensure that such passengers and their cabin baggage have been screened to an appropriate level at the point of origin and subsequently protected from unauthorized interference from the point of screening at the originating airport to the departing aircraft at the transfer airport, as is acceptable to the CAA.

Note.— Guidance material on this issue can be found in the Aviation Security Manual (Doc 8973 — Restricted).

4.4.3 Operators shall ensure that passengers and their cabin baggage which have been screened are protected from unauthorized 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.

4.4.4 Operators shall establish at an airport measures for transit operations to protect transit passengers' cabin baggage from unauthorized interference and protect the integrity of the security of the airport of transit.

4.4.5 Operators shall ensure that practices are established at airports and on board aircraft to assist in the identification and resolution of suspicious activity that may pose a threat to civil aviation.

4.5 Measures relating to hold baggage

4.5.1 Operators shall establish measures to 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 Operators shall ensure that all hold baggage to be carried on a commercial aircraft is protected from unauthorized interference from the point it is screened or accepted into the care of the carrier, whichever is earlier, until departure of the aircraft on which it is to be carried. If the integrity of hold baggage is jeopardized, the hold baggage shall be re-screened before being placed on board an aircraft.

4.5.3 Operators shall ensure that commercial air transport operators do 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.

4.5.4 Operators shall ensure that transfer hold baggage is screened prior to being loaded onto an aircraft engaged in commercial air transport operations, unless it has established a validation process and continuously implements procedures, in collaboration with the other Contracting State where appropriate, to ensure that such hold baggage has been screened at the point of origin and subsequently protected from unauthorized interference from the originating airport to the departing aircraft at the transfer airport.

Note.— Guidance material on this issue can be found in the Aviation Security Manual (Doc 8973 — Restricted).

4.5.5 Operators shall ensure that commercial air transport operators transport only 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 by the air carrier. All such baggage should be recorded as meeting these criteria and authorized for carriage on that flight.

4.5.6 Operators shall establish procedures to deal with unidentified baggage in accordance with a security risk assessment carried out by the relevant national authorities acceptable to the CAA.

4.6 Measures relating to cargo, mail and other goods

4.6.1 Operators shall ensure that appropriate security controls, acceptable to the CAA, including screening where practicable, are applied to cargo and mail, prior to their being loaded onto an aircraft engaged in passenger commercial air transport operations.

4.6.2 Operators shall establish a supply chain security process acceptable to the CAA, which includes the approval of regulated agents and/or known consignors, if such entities are involved in implementing screening or other security controls of cargo and mail.

4.6.3 Operators shall ensure that cargo and mail to be carried on a commercial aircraft are protected from unauthorized interference from the point screening or other security controls are applied until departure of the aircraft.

4.6.4 Operators shall ensure that enhanced security measures acceptable to the CAA apply to high-risk cargo and mail to appropriately mitigate the threats associated with it.

4.6.5 Operators shall ensure that operators do not accept cargo or mail 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 a regulated agent, or an entity that is approved by the CAA. Cargo and mail which cannot be confirmed and accounted for by a regulated agent or an entity that is approved by the CAA shall be subjected to screening.

4.6.6 Operators shall ensure that catering, stores and supplies intended for carriage on passenger commercial flights are subjected to appropriate security controls and thereafter protected until loaded onto the aircraft.

4.6.7 Operators shall ensure that merchandise and supplies introduced into security restricted areas are subject to appropriate security controls acceptable to the CAA, which may include screening.

4.6.8 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.

4.6.9 Operators shall ensure that transfer cargo and mail has been subjected to appropriate security controls acceptable to the CAA prior to being loaded on an aircraft engaged in commercial air transport operations departing from the Kingdom.

4.6.10 Operators shall ensure that, where screening of cargo and mail is conducted, screening is carried out using an appropriate method or methods acceptable to the CAA, taking into account the nature of the consignment.

4.6.11 Operators shall establish appropriate mechanisms to confirm that transfer cargo and mail entering the Kingdom has been subjected to appropriate security controls acceptable to the CAA.

Note.— Guidance material on this issue can be found in the Aviation Security Manual (Doc 8973 — Restricted).

4.7 Measures relating to special categories of passengers

4.7.1 Air carriers shall develop procedures for the carriage of potentially disruptive passengers who are obliged to travel because they have been the subject of judicial or administrative proceedings.

Note.— Guidance material on this issue can be found in the Aviation Security Manual (Doc 8973 — Restricted).

4.7.2 Operators providing service from the Kingdom shall develop in their security programs, 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, acceptable to the CAA.

4.7.3 Aircraft operators shall ensure that both the CAA 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.

4.7.4 Operators shall ensure that the carriage of weapons on board aircraft, by law enforcement officers and other authorized persons, acting in the performance of their duties, is specially authorized in accordance with the laws of the States involved.

4.7.5 Operators shall forward requests by any other State to allow the travel of armed personnel, including in-flight security officers, on board aircraft, to the CAA. Only after agreement by the CAA shall such travel be allowed.

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

4.7.7 Should the Kingdom deploy in-flight security officers, it shall ensure that they are government personnel who are specially selected and trained, taking into account the safety and security aspects on board an aircraft and deployed according to the threat assessment of the relevant authorities. The deployment of such officers shall be coordinated with concerned States and kept strictly confidential.

4.7.8 The operator shall ensure that the pilot-in-command is notified as to the number of armed persons and their seat location.

4.8 Measures relating to the landside

4.8.1 Operators shall ensure that security measures in landside areas are established to mitigate possible threats of acts of unlawful interference in accordance with a risk assessment carried out by the relevant authorities.

4.8.2 Operators shall facilitate coordination of landside security measures between the CAA, relevant departments, agencies, other organizations of the State, and other entities, and shall comply with appropriate requirements in the national civil aviation security program.

4.9 Measures relating to cyber threats

4.9.1 Operators shall, in accordance with any risk assessment carried out by the relevant national authorities and as acceptable to the CAA, ensure that measures are developed in order to protect critical information and communications technology systems used for civil aviation purposes from interference that may jeopardize the safety of civil aviation.

4.9.2 Operators involved with or responsible for the implementation of various aspects of the national civil aviation security program shall identify their critical information and communications technology systems, including threats and vulnerabilities thereto, and develop protective measures to include, inter alia, security by design, supply chain security, network separation, and remote access control, as appropriate and acceptable to the CAA.

CHAPTER 5. MANAGEMENT OF RESPONSE TO ACTS OF UNLAWFUL INTERFERENCE

5.1 Prevention

5.1.1 Operators shall establish measures, when reliable information exists that an aircraft may be subjected to an act of unlawful interference, to safeguard the aircraft if it is still on the ground and to provide as much prior notification as possible of the arrival of such aircraft to relevant airport authorities and air traffic services of the States concerned if the aircraft has already departed.

5.1.2 Operators shall ensure, when reliable information exists that an aircraft may be subjected to an act of unlawful interference, that the aircraft is searched for concealed weapons, explosives or other dangerous devices, articles or substances. Prior notification of the search should be provided to the operator concerned.

5.1.3 Operators shall ensure that arrangements are made to investigate, render safe and/or dispose of, if necessary, suspected dangerous devices or other potential hazards at airports.

5.1.4 Operators shall ensure that contingency plans are developed 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 Operators shall ensure that authorized and suitably trained personnel are readily available for deployment at airports serving civil aviation to assist in dealing with suspected, or actual, cases of unlawful interference with civil aviation.

5.2 Response

5.2.1 Operators shall take appropriate measures for the safety of passengers and crew of an aircraft, which is subjected to an act of unlawful interference, while on the ground in the territory of the Kingdom, until their journey can be continued.

5.2.2 Operators responsible for providing air traffic 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 all other States responsible for the 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 Operators 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 Operators shall take measures, as it may find practicable or as directed by competent authority, to ensure that an aircraft subjected to an act of unlawful seizure which has landed in

the territory of the Kingdom is detained on the ground unless its departure is necessitated by the overriding duty to protect human life. However, these measures need to recognize the grave hazard attending further flight. Operators shall also recognize the importance of consultations, wherever practicable, between the State where that aircraft has landed and the State of the Operator of the aircraft, and notification by the State where the aircraft has landed 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 Kingdom, the operator of the airport shall notify by the most expeditious means the CAA. The CAA may then notify the State of Registry of the aircraft and the State of the Operator of the landing and may 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 Organization.

5.2.6 Operators shall ensure that information received as a consequence of action taken in accordance with 5.2.2 is distributed locally to the CAA, air traffic services units concerned, the appropriate airport administrations, the operator and others concerned as soon as practicable.

5.2.7 The CAA shall coordinate with other States for the purpose of providing a joint response in connection with an act of unlawful interference.

5.3 Exchange of information and reporting

5.3.1 The CAA, when concerned with an act of unlawful interference, shall be the point of contact to provide ICAO with all pertinent information concerning the security aspects of the act of unlawful interference as soon as practicable after the act is resolved.

5.3.2 The CAA should exchange information with other Contracting States as considered appropriate on the management of response to an act of unlawful interference, at the same time supplying such information to ICAO.

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

6.1 Jurisdiction

6.1.1 The jurisdiction of the Kingdom of Bahrain 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 Kingdom of Bahrain; or any aircraft leased with or without crew to an operator whose principal place of business is in the Kingdom of Bahrain or, if the operator does not have a principal place of business, whose permanent residence is in the Kingdom of Bahrain; or

(b) any aircraft on or over the territory of the Kingdom of Bahrain; or

(c) any other aircraft in flight outside the Kingdom of Bahrain, if:

(i) the next landing of the aircraft is in the Kingdom of Bahrain; and

(ii) the Pilot in command has delivered the suspected offender to the appropriate national authorities of the Kingdom of Bahrain, 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 Kingdom of Bahrain; and

(b) the offence has been committed by or against a national or permanent resident of the Kingdom of Bahrain; and

(c) the offence is against the security of Kingdom of Bahrain; and

(d) the offence consists of a breach of any rules or regulations relating to the flight or maneuver of aircraft in force in Kingdom of Bahrain; and

(e) the exercise of jurisdiction is necessary to ensure the observance of any obligation of Kingdom of Bahrain 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 if those actions are deemed reasonable by the Undersecretary for Civil Aviation.

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 Kingdom of Bahrain.