

Civil Aviation (Security and Facilitation) Regulations, 2022

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IT is hereby notified that the Minister of Transport and Infrastructural Development, after consultation with the Board, has, in terms of section 79 of the Civil Aviation Act [*Chapter 13:16*], made the following regulations:—

PART I

PRELIMINARY

Title

1. These regulations may be cited as Civil Aviation (Security and Facilitation) Regulations, 2022.

Interpretation

2. In these regulations:—

“acts of unlawful interference” means acts or attempted acts such as to jeopardise the safety of civil aviation including, but not limited to:—

- (a) unlawful seizure of an aircraft;
- (b) destruction of an aircraft in service;
- (c) hostage-taking on board an 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; or
- (g) communication of false information such as to jeopardize the safety of 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” means an aircraft operation in which an aircraft is used for specialised services such as agriculture, construction, photography, surveying observation and patrol, search and rescue or aerial advertisement;

“aerodrome operator” means a defined area on land or water (including any buildings, installations, and equipment) intended to be used either wholly or in part for the arrival, departure and surface movement of aircraft;

“aerodrome tenant” means any enterprise that is resident at an aerodrome and offers services and products at that aerodrome;

“aircraft operator” means a person, organisation or enterprise engaged in or offering to engage in an aircraft operation;

“aircraft security check” means 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” means 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, substances or stowaways;

“airside” means the movement area of an airport, adjacent terrain and buildings or portions thereof, access to which is controlled;

“aviation fuel operator” means a company which is in the business of fuelling aircraft within an airport environment;

“aviation security” means safeguarding civil aviation against acts of unlawful interference. This objective is achieved by a combination of measures and human and material resources;

“aviation security inspector” means an officer who is authorised by the Authority to examine the implementation of one or more aspects of security measures and procedures in order to determine how effectively they are being carried out;

“aviation security officer” means a person who is trained in accordance with the security training requirements of the Authority and in line with the approved Security Programme, and has been appointed as an aviation security officer by an aerodrome operator or aircraft operator;

- “aviation security screening officer” means a person who by virtue of his or her training has been employed by the aerodrome operator, aircraft operator, or aerodrome tenant to carry out aviation security screening duties, and who has been certified as such by the Authority;
- “background check” means 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 the applicable legislation;
- “cargo” means any property carried on an aircraft other than mail, stores and accompanied or mishandled baggage;
- “carry-on baggage” means luggage and personal belongings to which a person will have access while on board an aircraft;
- “catering stores” means all items, other than catering supplies, associated with passenger in-flight services, that includes newspapers, magazines, headphones, audio and video tapes, pillows, blankets and amenity kits;
- “catering supplies” means food, beverages, dry stores and associated equipment used on board an aircraft;
- “certification” means 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;
- “checked baggage” means luggage 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;
- “Civil Aviation Security and Facilitation Regulatory Division” means a division established in terms of section 5;
- “commercial air transport operation” means an aircraft operation involving the transport of passengers, cargo or mail for remuneration or hire;
- “dangerous goods” means articles or substances which are capable of posing a risk to health, safety, property or the environment and which are classified according to the International Civil Aviation Organisation Technical Instructions for the Safe Transport of Goods by Air;
- “domestic airport” means any aerodrome that handles domestic flights, and does not have customs and immigration facilities;
- “enhanced security restricted area” means an area of the airside of an airport which is identified as priority risk area where in addition to access control, the screening of persons and any items they may have in their possession are conducted;
- “escort” means to accompany or supervise an individual who does not have unescorted access to areas restricted for security purposes, as identified in the Aerodrome Operator Security Programme;
- “firearm” has the meaning given to it by the Firearms Act [*Chapter 10:09*];
- “foreign aircraft operator” means an aircraft operator who conducts international air transport operations under the terms of an aircraft operator certificate issued by a State other than Zimbabwe;
- “flight catering operator” means any enterprise that provides catering supplies for consumption on board an aircraft in flight engaged in the carriage of passengers;
- “goods” means personal belongings, baggage, cargo, mail, article, item or conveyance that may be taken or placed on board an aircraft or taken into a restricted area;
- “Head of Aviation Security and Facilitation” means a person who is responsible for the aviation security and facilitation oversight, including overseeing the conduct of quality control monitoring activities as well as the development, implementation and maintenance of the National Civil Aviation Security Programme and other local and international aviation security and facilitation regulatory framework;
- “high-risk cargo or mail” means 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” means 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;
- “incendiary device” means an object, other than a match or pocket lighter, that is fabricated with combustible materials and when ignited may cause fire damage to property or inflict burn injuries on individuals;
- “in-flight security officer” means a person who is authorised by the Government of the State of an aircraft 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, and does not include persons employed to provide exclusive personal protection for one or more specific people travelling on the aircraft;
- “international airport” means a designated airport of entry and departure for international air traffic, where the formalities incident to customs, immigration, public health, animal and plant quarantine and similar procedures are carried out;
- “internal quality control officer” means a person authorised by the Authority to carry out quality control activities consistent with his or her entity’s operations;
- “known consignor” means 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;
- “national aircraft operator” means an aircraft operator operating under the authority of an air operator’s certificate issued by the Authority;
- “operator” includes an aircraft operator, aerodrome operator, air traffic service provider, regulated agent, ground handler, flight catering operator, aviation security service provider, aviation fuel operator; known consignor;
- “personal search” means a search of the clothing of a person and personal belongings for prohibited items by a designated aviation security officer, an aviation security screening officer or any authorised person;
- “quality control report” means the report for a security audit, inspection, investigation and test;
- “record” includes any writing, drawing, map, tape, film, photograph, or electronic version of any writing, drawing, map, tape, film, photograph by which information is preserved;
- “regulated agent” means an agent, freight forwarder or any other entity who conducts business with an aircraft operator and provides security controls that are accepted or authorised by the Authority in respect of cargo, courier and express parcels or mail;
- “restricted area” means any area of an aerodrome that is identified as an area to which access is restricted to authorised persons;
- “restricted area permit” means a document issued by the designated permit issuing authority, that entitles the holder to have access to a specific restricted area of an aerodrome during a specified period;
- “screening” means the application of technical or other means which are intended to detect weapons, explosives or other prohibited items which have been designated as dangerous to aviation security;
- “security audit” means an in-depth compliance examination of all aspects of the implementation of the National Civil Aviation Security Programme;
- “security control” means measures 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” means 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 organisation;
- “security directive” means a formal written notification from the Director General of Civil Aviation Authority of Zimbabwe or a person appointed by him or her, requiring the recipient to take such security measures as are specified within the directive;

- “security incident” means an occurrence with negative implications for the security and safety of persons and property;
- “security inspection” means an announced or unannounced examination of the effectiveness of the implementation of specific security measures;
- “Security Programme” includes a National Civil Aviation Security Programme, National Civil Aviation Security Training Programme, National Civil Aviation Security Quality Control Programme, National Air Transport Facilitation Programme, National Aviation Security Certification Programme, Aerodrome Operator Security Programme, Aircraft Operator Security Programme, Foreign Aircraft Operator Security Programme, Flight Catering Operator Security Programme, Aviation Fuel Operator Security Programme, Regulated Agent Security Programme and a Known Consignor Security Programme, where applicable;
- “security restricted area” means 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” means a covert or overt trial of an aviation security measure which simulates an attempt to commit an unlawful act;
- “State of the operator” means the State in which the operator’s principal place of business is located or, if there is no such place of business, the operator’s permanent residence;
- “sterile area” means an area between any passenger inspection or screening checkpoint and aircraft, into which access is strictly controlled;
- “technical instructions” means the International Civil Aviation Organisation Instructions for the transport of Dangerous Goods by Air;
- “transfer cargo and mail” means cargo and mail departing on an aircraft other than that on which it arrived;
- “transfer passenger” means a passenger making direct connection between two different flights;
- “transit passenger” means a passenger departing from an aerodrome on the same flight on which he or she arrived;
- “unidentified baggage” means baggage at an airport, with or without a baggage tag, which is not picked up by or identified with a passenger.

Application

3. (1) These regulations shall apply to—
- (a) international airport operators;
 - (b) domestic airport operators and any other aerodrome operator certified by the Authority;
 - (c) national aircraft operators;
 - (d) foreign aircraft operators;
 - (e) aerodrome tenants or operators of Tenant Restricted Areas at international airports or domestic airports;
 - (f) any person in or within the vicinity of an international airport or domestic airport, or any other aerodrome specified by the Authority;
 - (g) any person who offers goods for transport by air;
 - (h) any person who provides a service to an aircraft operator;
 - (i) any person on board a civil aircraft within Zimbabwe ; and
 - (j) an agency or organisation which provides air traffic services.

(2) Nothing in these regulations shall apply to any aircraft used for the purposes of any military operations in Zimbabwe.

Object

4. (1) Pursuant to section 5(1)(a) of the Act, the object of these regulations is to ensure 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, as perpetrated on the ground or in flight.

(2) For purposes of achieving the object in subsection (1), the Authority shall issue to operators such directives, circulars and orders as maybe necessary.

PART II

CIVIL AVIATION SECURITY AND FACILITATION REGULATORY DIVISION

Establishment of civil aviation security and facilitation regulatory division

5. (1) The Authority hereby establishes a Civil Aviation Security and Facilitation Regulatory Division whose functions shall be to—

- (a) provide oversight for the implementation of aviation security policies and requirements;
- (b) establish, administer and promulgate the—
 - (i) National Civil Aviation Security Programme;
 - (ii) National Civil Aviation Security Quality Control Programme;
 - (iii) National Civil Aviation Security Training Programme;
 - (iv) National Air Transport Facilitation Programme; and
 - (v) National Aviation Security Certification Programme;
- (c) develop and implement practices and procedures to ensure compliance with international and national standards;
- (d) review and ensure the adequacy of security programmes and associated documentation produced by airports and operators;
- (e) to carry out quality control activities, such as security inspections, audits, tests and investigations of security standards and operating procedures of airports and operators;
- (f) foster and ensure good working relationships, co-operation and exchange of relevant information and experience among contracting States;
- (g) inspect or detain any aircraft registered or operating in the State for the purposes of inspecting any security procedure;
- (h) inspect any part of any airport in Zimbabwe;
- (i) inspect any land outside the airport used by business that operate on the airport or enter the restricted security areas, and subject any property found within these areas to tests;
- (j) investigate and test the effectiveness of security practises and procedure;
- (k) require an aircraft operator, airport manager or occupier of land outside the airport used for business purposes connected with the airport to provide information relevant to the audit, inspection, test or investigation;
- (l) enter on any land or building for the purposes of inspecting an aircraft or aircraft operator or land outside an airport occupied for business purposes connected with the airport or aircraft operator;
- (m) take into an airport, airside area or into baggage or into any designated security restricted area, and use any equipment necessary to carry out their duties, including for example, radios, cameras, recording devices both audio and video, authorised weapons or simulated explosive devices, for the purpose of inspection and testing; and
- (n) ask any questions about aviation security to any person they consider may assist them in assessing the standard of security or implementation of security procedures.

Composition and qualifications of Civil Aviation Security and Facilitation Regulatory Division

6. (1) The Civil Aviation Security and Facilitation Regulatory Division shall be composed of—

- (a) Head of Aviation Security and Facilitation;
- (b) aviation security inspectors certified by the Authority;

(2) Subject to subsection (1), the Head of aviation security and aviation security inspectors shall have a good—

- (a) understanding of the National Civil Aviation Security Programme;
- (b) working knowledge of security technologies and techniques;
- (c) working knowledge of audit principles, procedures and techniques; and
- (d) working knowledge of International Civil Aviation Organisation Annex 17- *Aviation Security* and Annex 9- *Facilitation* Standards and Aviation Security Manual (Doc 8973).

PART III

SECURITY PROGRAMMES AND PROCEDURES

National Civil Aviation Security Programme

7. (1) The National Civil Aviation Security Programme referred to in section 44A(d)(i) of the Act shall provide for the following—

- (a) the specific civil aviation security responsibilities of the Authority in accordance with the Act, this Part and any other relevant law;
- (b) the functions to be exercised by the aerodrome management of a security designated aerodrome and security designated navigation installation in respect of the establishment and implementation of security measures to prevent the occurrence of acts of unlawful interference;
- (c) the functions to be exercised by the Air Navigation Services in respect of the establishment and implementation of security measures to prevent the occurrence of acts of unlawful interference;
- (d) the responsibility regarding the control of access by airport tenants at security designated aerodromes whose concession or facility forms part of the landside or airside boundary or through which access can be gained from landside to airside;
- (e) the specific responsibilities, in the context of aviation security, of the policing authority at security designated aerodromes;
- (f) the establishment of an airport security committee for the co-ordination of the development and implementation of security measures and procedures at security designated aerodromes;
- (g) the co-operation and communication between States in the development and implementation of aviation security practices and procedures;
- (h) steps to ensure the co-ordination of aviation security measures among stakeholders responsible for implementation of the National Civil Aviation Security Programme;
- (i) the protection of airports, aircraft and air navigation facilities with specific reference to the designation and protection of security restricted areas, access control and the listing of both on and off-airport navigational and aviation-related facilities which are vital to the continued safe operation of civil aviation;
- (j) the security control of persons boarding an aircraft and items being placed on board aircraft, including—
 - (i) screening and searching of the passengers and carry-on baggage;
 - (ii) the control of transit and transfer passengers;
 - (iii) the screening of aircraft crew, airport staff, permit holders, and other non-passengers;
 - (iv) the provision of special screening procedures;
 - (v) the procedure for authorised carriage of weapons;
 - (vi) procedures for the proper control and screening of checked baggage;
 - (vii) control of cargo, courier and express parcels and mail;
 - (viii) procedures to prevent the introduction of weapons, explosives and other dangerous devices into in-flight supplies intended for carriage on aircraft;
 - (ix) the procurement, calibration, operation, details, including minimum criteria, and maintenance of security equipment;
 - (x) the selection, security background check and recruitment criteria for persons charged with the execution of aviation security-related duties;
 - (xi) the background check of persons who, in the execution of their duties, are required to gain access to restricted areas and to access sensitive aviation security information;

- (xii) the management of response to acts of unlawful interference;
- (xiii) measures for the evaluation of the programme;
- (k) the National Civil Aviation Security Quality Control Programme, to determine compliance with and validate the effectiveness of the National Civil Aviation Security Programme;
- (l) the National Civil Aviation Security Training Programme in order to determine that persons applying and monitoring the National Civil Aviation Security Programme are in a position to comply with the laid-down requirements;
- (m) the development of measures in order to protect critical information and communications technology systems;
- (n) the establishment of a confidential security reporting system for aviation security information.
- (o) development, review and approval of contingency plans; and
- (p) any other matter or international standards that are deemed necessary in the interests of civil aviation security.

(2) The Authority may incorporate into the National Civil Aviation Security Programme any international Standard and Recommended Practice contained in Annex 17- *Aviation Security* to the Chicago Convention and any other international aviation standard.

Aerodrome Operator Security Programme

8. (1) No aerodrome operator shall operate an aerodrome specified in his or her aerodrome licence unless he or she has—

- (a) developed an aerodrome security programme that meets the requirements of this Part and the National Civil Aviation Security Programme; and
- (b) submitted an application in Form A.S.2 specified in the Second Schedule, accompanied by—
 - (i) the proposed aerodrome security programme;
 - (ii) the current scale map of the approved aerodrome;
 - (iii) the appropriate fee set out in the First Schedule;

for approval by the Authority.

(2) Where a programme referred to in subsection (1) has been approved, the aerodrome operator shall ensure that such programme implemented is maintained in line with the National Civil Aviation Security Programme.

(3) An Aerodrome Operator Security Programme shall be designed to describe the measures in place to safeguard that aerodrome against acts of unlawful interference and shall be in such form, manner and content as specified by the Authority.

(4) A security programme referred to in subsection (1) shall provide for the safety of the—

- (a) passengers, crew and their property;
- (b) the aircraft;
- (c) operating staff associated with the facility or aircraft; and
- (d) related aviation support facilities.

(5) Upon receipt of the application referred to in subsection (1), the Authority shall within 30 days by notice in writing to the operator —

- (a) approve the application; or
- (b) reject the application.

(6) Any person who contravenes this section shall be guilty of an offence and liable to a fine not exceeding level 8 or to an imprisonment for a period not exceeding six years or to both such fine and such imprisonment.

Aircraft Operator Security Programme

9. (1) No aircraft operator whose principal place of business is located in Zimbabwe shall operate an aircraft serving civil aviation for commercial purposes from or within Zimbabwe unless he or she has—

- (a) developed an aircraft operator security programme that meets the requirements of this Part and the National Civil Aviation Security Programme; and
- (b) submitted an application in Form A.S.1 specified in the Second Schedule, accompanied by—
 - (i) the proposed aircraft operator security programme; and

- (ii) the appropriate fee set out in the First Schedule;
for approval by the Authority.

(2) Every foreign commercial air transport operator providing service to and from Zimbabwe shall submit—

- (a) an aircraft operator security programme approved by State of the Operator; and
- (b) written supplementary station procedures that meet the requirements of the National Civil Aviation Security Programme of Zimbabwe.

(3) Upon receipt of the applications referred to in subsections (1) and (2), the Authority shall within 30 days by notice in writing to the operator —

- (a) approve the application; or
- (b) reject the application and give reasons thereto.

(4) Where a programme referred to in subsection (1) has been approved, the aircraft operator shall ensure that such programme implemented is maintained in line with the National Civil Aviation Security Programme.

(5) An aircraft operator security programme shall be designed to describe the measures in place to safeguard the aircraft operations against acts of unlawful interference and shall be in such form, manner and content as specified by the Authority.

(6) A security programme referred to in subsection (1) shall specify the practices and the procedures to be followed by the operator for the purposes of, but not limited to:—

- (a) ensuring that the cockpit doors of an aircraft engaged in civil aviation operations are reinforced and always locked during the flight; and
- (b) ensuring that unauthorised persons are prevented from entering the cockpit or the flight deck of an aircraft during the flight; and
- (c) preventing the unlawful carriage, whether on a person or in the baggage, mail or other cargo, of any firearm, ammunition, weapon, incendiary device or explosive or other substance or an item that by reason of its nature or condition, may endanger the safety of the aircraft or the persons or property on board the aircraft in an air service conducted by the operator; and
- (d) preventing any person from having unlawful access to such aircraft; and
- (e) ensuring that all baggage, mail and other cargo to be taken on board such aircraft is accepted for the purpose only by an employee or other duly authorised agent or representative of the operator; and
- (f) preventing baggage, mail and other cargo from being taken on board such aircraft except in accordance with specified security procedures; and
- (g) protecting such aircraft, persons and property in the event of a threat or warning having been received or when otherwise there is a reason to believe that there exists a danger to the safety of those persons or property; and
- (h) ensuring—
 - (i) that passengers disembarking from any aircraft engaged in civil aviation operations do not leave personal items on board such aircraft; and
 - (ii) in the case of service from Zimbabwe that the baggage of passengers who are not on board the aircraft is not transported unless such baggage is subject to other security control measures; and
 - (iii) that all passengers and their cabin baggage or hand baggage are screened prior to boarding or being loaded in an aircraft engaged in civil aviation operations; and
 - (iv) the safe conduct of a flight where one or more persons are allowed to carry a firearm; and
 - (v) that all aircraft security checks of an aircraft engaged in civil aviation operations, whether on domestic or international flights, are performed; and
 - (vi) that aircraft security checks of originating aircraft engaged in commercial air transport movements are performed or an aircraft security search is carried out; and
 - (vii) that appropriate measures are taken to ensure that during flight unauthorised persons are prevented from entering the flight crew compartment; and
 - (viii) that an originating aircraft is protected from unauthorised interference from the time the aircraft search or check has commenced until the aircraft departs; and

- (ix) 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; and
- (x) that passengers of commercial air transport operations and their cabin baggage are screened prior to boarding an aircraft; and
- (xi) 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 and if a mix up occurs, passengers and their cabin baggage shall be re-screened; and
- (xii) that originating hold baggage is screened prior to being loaded into an aircraft engaged in commercial air operations departing from a security restricted area; and
- (xiii) that all hold baggage to be carried on a commercial aircraft is protected from unauthorised interference from the point it is screened or accepted into the care of the carrier until departure of the aircraft on which it is to be carried; and
- (xiv) that baggage of any passenger who is not on board the aircraft is not transported, unless that baggage is identified as unaccompanied and subjected to additional screening; and
- (xv) that transfer hold baggage is screened prior to being loaded into an aircraft engaged in commercial air transport operations; and
- (xvi) that only items of hold baggage which have been individually identified as accompanied or unaccompanied, and is screened to the appropriate standard and accepted for carriage on that flight by the air carrier is transported; and
- (xvii) that security controls are applied to cargo and mail, prior to them being loaded into an aircraft engaged in passenger commercial air transport operations; and
- (xviii) that cargo and mail to be carried on a passenger commercial aircraft is protected from unauthorised interference from the point security controls are applied until departure of the aircraft; and
- (xix) that only cargo and mail whose security controls are accounted for by a regulated agent or has been subjected to appropriate security controls, shall be accepted for carriage in an aircraft engaged in passenger air transport operations; and
- (i) providing procedures to be followed by flight crews in the event of a hijacking, bomb threat or other violence; and
- (j) controlling transfer and transit passengers and their cabin baggage to prevent unauthorised articles from being taken on board an aircraft engaged in civil aviation operations.

(7) Where an aircraft operator delegates responsibilities in terms of subsection (5) to a ground handling agent approved in terms of the Civil Aviation (Air Operator Certification and Administration) Regulations, 2018, such delegated entity shall implement the security measures and procedures on behalf of the aircraft operator.

(8) An aircraft operator security programme must comply with the Model Operator's Security Programme set out in the National Civil Aviation Security Programme.

(9) An aircraft operator with an approved aircraft operator security programme shall—

- (a) maintain one complete copy of his or her approved aircraft operator security programme at his or her principal place of business;
- (b) maintain a complete copy or the pertinent portions of his or her approved aircraft operator security programme at each aerodrome where he or she operates;
- (c) make the documents referred to in paragraphs (a) and (b), available for inspection upon request by the Authority; and
- (d) restrict the distribution, disclosure, and availability of sensitive security information only to persons who by their defined roles in the programme require having such information for the performance of their functions.

(10) An aircraft operator shall appoint a person suitably qualified, trained and experienced in aviation security charged with responsibility for coordinating the implementation of the aircraft operator security programme.

(11) Any person who contravenes this section shall be guilty of an offence and liable to a fine not exceeding level 14 or to an imprisonment for a period not exceeding fifteen years or to both such fine and such imprisonment.

Air Traffic Service Provider Security Programme

10. (1) No air traffic service provider shall provide air traffic services in Zimbabwe unless he or she has—
- (a) developed an air traffic service provider security programme that meets the requirements of this Part and the National Civil Aviation Security Programme; and
 - (b) submitted a written application accompanied by the proposed air traffic service provider security programme for approval by the Authority.

(2) Where a programme referred to in subsection (1) has been approved, the air traffic service provider shall ensure that such programme implemented is maintained in line with the National Civil Aviation Security Programme.

(3) The Air Traffic Service Provider Security Programme shall be designed to describe the measures in place to safeguard civil aviation operations against acts of unlawful interference.

(4) Any person who contravenes this section shall be guilty of an offence and liable to a fine not exceeding level 5 or to an imprisonment for a period not exceeding three years or to both such fine and such imprisonment.

Regulated Agent Security Programme and Status

11. (1) No regulated agent shall operate as a regulated agent unless he or she has—
- (a) developed a regulated agent security programme that meets the requirements of this Part and the National Civil Aviation Security Programme; and
 - (b) submitted a written application accompanied by—
 - (i) the proposed regulated agent security programme;
 - (ii) the current scale map of the regulated agent premises; and
 - (iii) the appropriate fee set out in the First Schedule;for approval by the Authority.

(2) Where a programme referred to in subsection (1) has been approved, the regulated agent operator shall ensure that such programme implemented is maintained in line with the National Civil Aviation Security Programme.

(3) The Regulated Agent Security Programme shall be designed to describe the measures in place to safeguard the regulated agent operations against acts of unlawful interference.

(4) A security programme referred to in subsection (1) shall include procedures for—

- (a) ensuring the security of goods accepted by him or her and under his or her control;
- (b) ensuring the security of his or her buildings, premises, transport facilities and cargo warehouses;
- (c) ensuring the security of goods during the transfer from one facility to another;
- (d) recruitment and training of staff involved in the handling of goods;
- (e) ensuring supply chain security; and
- (f) incident reporting.

(5) Upon receipt of the application referred to in subsection (1), the Authority shall—

- (a) conduct an inspection to assess the regulated agent's facilities, security measures and equipment, employment and training records.
- (b) within 30 days by notice in writing to the regulated agent—
 - (i) approve the application and issue a regulated agent status; or
 - (ii) reject the application.

(6) Any person who contravenes this section shall be guilty of an offence and liable to a fine not exceeding level eight or to an imprisonment for a period not exceeding 8 years or to both such fine and such imprisonment.

Known Consignor Security Programme and Status

12. (1) No freight forwarding agent shall originate air cargo and mail for export or handle such imports through a regulated agent unless he or she has—

- (a) developed a Known Consignor Security programme that meets the requirements of this Part and the National Civil Aviation Security Programme; and
- (b) submitted a written application accompanied by—
 - (i) the proposed Known Consignor security programme;
 - (ii) the current scale map of the freight forwarding premises; and
 - (iii) the appropriate fee set out in the First Schedule for approval by the Authority.

(2) Where a programme referred to in subsection (1) has been approved, the freight forwarding agent shall ensure that such programme implemented is maintained in line with the National Civil Aviation Security Programme.

(3) The known consignor security programme shall be designed to describe the measures in place to safeguard the cargo operations against acts of unlawful interference.

(4) A security programme referred to in subsection (1) shall include procedures for—

- (a) ensuring the security of goods accepted by him or her and under his or her control;
- (b) ensuring the security of his or her buildings, premises, transport facilities and cargo warehouses;
- (c) ensuring the security of goods during the transfer from one facility to another;
- (d) recruitment and training of staff involved in the handling of goods;
- (e) ensuring supply chain security; and
- (f) incident reporting.

(5) Upon receipt of the application referred to in subsection (1), the Authority shall—

- (a) conduct an inspection to assess the known consignor's facilities, security measures and equipment, employment and training records.
- (b) within 30 days by notice in writing to the known consignor —
 - (i) approve the application and issue a known consignor status; or
 - (ii) reject the application.

(6) Any person who contravenes this section shall be guilty of an offence and liable to a fine not exceeding level 5 or to an imprisonment for a period not exceeding three years or to both such fine and such imprisonment.

Flight Catering Operator Security Programme

13. (1) No flight catering operator shall conduct flight catering operations unless he or she has—

- (a) developed a Flight Catering Operator Security Programme that meets the requirements of this Part and the National Civil Aviation Security Programme; and
- (b) submitted a written application accompanied by—
 - (i) the proposed flight catering operator security programme;
 - (ii) the current scale map of the flight catering operator's premises; and
 - (iii) the appropriate fee set out in the First Schedule; for approval by the Authority.

(2) Where a programme referred to in subsection (1) has been approved, the flight catering operator shall ensure that such programme implemented is maintained in line with the National Civil Aviation Security Programme.

(3) The flight catering operator security programme shall be designed to describe the measures in place to safeguard the flight catering operations against acts of unlawful interference.

(4) A security programme referred to in subsection (1) shall include procedures for—

- (a) ensuring the security of flight catering stores and supplies accepted by him or her and under his or her control;
- (b) ensuring the security of his or her buildings, premises, transport facilities and flight catering warehouses;
- (c) ensuring the security of his or her stores and supplies during the transfer from one facility to another;

- (d) recruitment and training of staff involved in the handling of stores and supplies;
- (e) ensuring supply chain security; and
- (f) incident reporting.

(5) Upon receipt of the application referred to in subsection (1), the Authority shall within 30 days by notice in writing to the operator —

- (a) approve the application; or
- (b) reject the application.

(6) Any person who contravenes this section shall be guilty of an offence and liable to a fine not exceeding level 14 or to an imprisonment for a period not exceeding fifteen years or to both such fine and such imprisonment.

Aviation Fuel Operator Security Programme

14. (1) No aviation fuel operator shall operate at an airport unless he or she has—

- (a) developed an aviation fuel operator security programme that meets the requirements of this Part and the National Civil Aviation Security Programme; and
- (b) submitted a written application accompanied by:
 - (i) the proposed aviation fuel operator security programme;
 - (ii) and the current scale map of the aviation fuel operator's premises for approval by the Authority;
 - (iii) the appropriate fees set out in the First Schedule;
for approval by the Authority.

(2) Where a programme referred to in subsection (1) has been approved, the aviation fuel operator shall ensure that such programme implemented is maintained in line with the National Civil Aviation Security Programme.

(3) The Aviation Fuel Operator Security Programme shall be designed to describe the measures in place to safeguard the aviation fuel operations against acts of unlawful interference.

(4) A security programme referred to in subsection (1) shall include procedures for—

- (a) ensuring the security of fuel operations under his or her control;
- (b) ensuring the security of his or her buildings, premises, transport facilities and aircraft fuel supplies;
- (c) ensuring the security of the refuellers accessing the security restricted areas;
- (d) recruitment and training of staff involved in the handling of his or her goods;
- (e) ensuring supply chain security;
- (f) security contingency measures; and
- (g) incident reporting.

(5) Upon receipt of the application referred to in subsection (1), the Authority shall within 30 days by notice in writing to the aviation fuel operator—

- (a) approve the application; or
- (b) reject the application.

(6) Any person who contravenes this section shall be guilty of an offence and liable to a fine not exceeding level 8 or to an imprisonment for a period not exceeding six years or to both such fine and such imprisonment.

Aviation Security Service Provider Procedures

15. (1) No aviation security service provider shall be contracted to provide security services at civil aviation facilities unless he or she has—

- (a) developed an aviation security service provider procedures that meet the requirements of—
 - (i) this Part;
 - (ii) the National Civil Aviation Security Programme; and
 - (iii) the operator security programme.
- (b) submitted a written application accompanied by—

- (i) the proposed aviation security service provider procedure; and
 - (ii) the appropriate fees set out in the First Schedule;
- for approval by the Authority.

(2) Where the procedures referred to in subsection (1) have been approved, the aviation security service provider shall ensure that such procedures implemented are maintained in line with the National Civil Aviation Security Programme.

(3) An operator shall not engage the services of any person who has not been approved as an aviation security officer service provider by the Authority.

(4) The Aviation Security Service Provider Procedure shall describe the measures in place to safeguard the aviation service provider operations against acts of unlawful interference.

(5) Security procedure referred to in subsection (1) shall include procedures for—

- (a) ensuring the security of aviation security service provider operations under his or her control;
- (b) ensuring the security of operator buildings, premises and transport facilities;
- (c) ensuring that the aviation security service provider staff comply and enforce security practices at the airport;
- (d) recruitment, initial and recurrent training of staff involved in the provision of his or her services; and
- (e) incident reporting to the operator and the appropriate authority.

(6) Upon receipt of the application referred to in subsection (1), the Authority shall within 30 days by notice in writing to the operator—

- (a) approve the application; or
- (b) reject the application.

(7) Any person who contravenes this section shall be guilty of an offence and liable to a fine not exceeding level 8 or to an imprisonment for a period not exceeding six years or to both such fine and such imprisonment.

Application for approval of security programme

16. (1) Where a security programme is required to be approved by the Director General under this Part, the applicant must submit the programme to the Director General, ensuring that it meets the requirements of the National Civil Aviation Security Programme, this Part and any other relevant law and security programmes.

(2) A security programme submitted to the Director General under this Part must be in duplicate and signed by the applicant or on behalf of the applicant by a duly authorised person.

Approval of security programmes

17. (1) The National Civil Aviation Security Programme shall be considered by the National Civil Aviation Security Committee and recommended for the Minister's approval in terms of section 44A(3) of the Act.

(2) Where the Authority is satisfied that the security programme submitted under section 16 meets the requirements of this Part, the National Civil Aviation Security Programme and any other relevant law and other security programmes referred to in this Part, the Director General must within 30 days after receipt of the programme, approve the security programme.

(3) Where the Director General determines that a security programme submitted in terms of section 16 does not meet the requirements of this Part, and the National Civil Aviation Security Programme, the Director General must within 14 days after receipt of the programme, direct the applicant to modify and re-submit the security programme.

(4) Where the Director General is satisfied that a security programme resubmitted meets the requirements of this Part, and the National Civil Aviation Security Programme, the Director General must, within 14 days after receipt of the programme, approve the security programme, and the Director General must issue the applicant with a certificate of approval set out in Fifth Schedule.

(5) Upon a proposed security programme submitted in terms of section 16 being approved by the Director General under this Part, the applicant must within 30 days of such approval ensure that such approved security programme is implemented and in full operation.

(6) Any non-compliance with the requirement on a security programme in this Part by a participant is subject to the application of the enforcement procedures in terms of these regulations.

Review of security programme by the Authority

18. (1) The Authority shall, at intervals of not more than 18 months, review an operator security programme approved in terms of these regulations in order to determine whether the programme continues to be adequate for the purposes specified.

(2) Where the Authority is of the opinion that—

- (a) an operator's security programme submitted and approved by the Authority is not adequate; or
- (b) an operator's security programme approved by it is no longer adequate for the specified purposes; the Authority may, by notice in writing to the operator, direct the operator to review the programme—
 - (i) by reference to the practices and procedures to be followed; or
 - (ii) in such other manner as the Authority may specify.

(3) On receipt of a directive in terms of subsection (1) an operator shall within thirty days comply with such directive.

(4) Where the operator fails to comply with a directive given in terms of subsection (1) the Authority shall, by notice in writing to the operator—

- (a) impose a penalty for failure to review the programme;
- (b) cancel the approval of the programme.

Review of security programme by operator

19. (1) The operator or organisations responsible for the implementation of various aspects of the National Civil Aviation Security Programme must review on an annual basis the security programmes approved by the Director General in terms of these regulations and submit the programme to the Director General for approval.

(2) In reviewing the programme the operator shall have regard to developments whether in Zimbabwe or otherwise, of the current practices and procedures followed in civil aviation security.

(3) Where the operator is of the opinion that his or her security programme is no longer adequate for the purposes specified, the operator shall immediately submit to the Authority for approval, such proposed amendments for the operator security programme as the operator considers appropriate.

(4) Whenever a situation described in subsection (3) occurs, the operator concerned must identify and notify the Authority of interim measures being taken to ensure security.

(5) On receipt of the proposals submitted in terms of subsection (3), the Authority shall—

- (a) if satisfied that the proposals will, if implemented—
 - (i) make the programme adequate for the purposes specified; or
 - (ii) be a substantial improvement in the efficiency of the programme for those purposes; by notice in writing to the operator, approve the programme; or
- (b) if not satisfied, by notice in writing to the operator, refuse to approve the programme and cite reasons thereof.

PART IV

FACILITATION

Establishment of National Air Transport Facilitation Programme

20. (1) In this Part—

“facilitation” means the efficient management of the necessary control process, with the objective of expediting the clearance of persons or goods and preventing unnecessary operational delays.

(2) The Authority shall develop, implement and maintain a written National Air Transport Facilitation Programme that meets the International Civil Aviation Organisation Annex 9— Facilitation standards whose objective shall be to adopt all practicable measures to facilitate the movement of aircraft, crew, passengers, cargo, mail and stores by removing unnecessary obstacles and delays.

(3) The National Air Transport Facilitation Programme referred to in subsection (2) shall contain the following—

- (a) the allocation of responsibilities for various entities involved in air transport facilitation ;
- (b) the efficient processing of travel documents;
- (c) the efficient customs formalities;
- (d) the facilitation of smooth flow of passengers through security points; and
- (e) functions and composition of the National and Airport level Air Transport Facilitation Committees.

Entry and departure procedures

21. (1) An aircraft operator must take necessary precautions, and establish measures at the point of embarkation to ensure that passengers are in possession of valid documents prescribed by the State of transit and destination for control purposes.

(2) Any person, including a minor, who is departing as a passenger from a security designated aerodrome in Zimbabwe on a scheduled public air transport flight to a destination outside the territory of Zimbabwe must produce a valid identification document in accordance with section 12(3)(a) of the Immigration Act [Chapter 4:02] before boarding the aircraft concerned.

(3) An aircraft operator, or their duly designated agent, must ensure that details on the personal identification document, including the name, date of birth and gender of the person concerned, correspond to the details in the air carrier's or aircraft operator's possession in respect of the intended passenger.

(4) An aircraft operator must, through its boarding officers, ensure that the name of the person appearing on the identification document or passport must correspond to the name of the person appearing on the issued boarding pass.

(5) An aircraft operator must, through its boarding officers, confirm that any person checking in baggage at the baggage check-in-point in the airport is the same as the person who intends to be a passenger on the flight and who has been issued with a boarding pass or is to be issued with a boarding pass.

(6) A person whose identity cannot be verified in terms of subsection (3), (4) or (5) must be refused carriage.

(7) The Authority shall be responsible for the issuance—

- (a) identity documents to aircraft crew members in a format that provides a harmonised and reliable international basis for recognition and validation of documentation to permit authorised access to airside and security restricted areas; and
- (b) inspector credentials to allow access in terms of section 69A of the Act.

(8) The aircraft crew member shall submit to the Authority an application for the identity document referred to in subsection (7) accompanied by appropriate fees as set out in the First Schedule.

(9) The Authority shall, within 15 days, approve or decline an application for a crew member certificate.

(10) No member of a crew of an aircraft in transit through Zimbabwe shall be required to hold an identity document issued in terms of subsection (7):

Provided that such crew member—

- (a) carries and produces sufficient evidence of his or her identity on demand by a civil aviation security officer;
- (b) enters a restricted area for the purpose of carrying out his or her duties and complies with any direction given by a civil aviation security officer.

National plan for public health emergencies

22. (1) The Authority, in collaboration with the Ministry of Health and Child Care, shall establish a National Aviation Public Health Preparedness and Response Plan in preparation for an outbreak of a communicable disease posing a public health risk or public health emergency of international concern.

(2) The overall goal of the plan referred to in subsection (1) shall be to minimise transmission, morbidity and mortality resulting from public health emergencies while strengthening the national core capacities under the International Health Regulations (IHR), 2005.

(3) The National Air Transport Facilitation Committee shall review and recommend the National Aviation Public Health Preparedness Response Plan for approval by the relevant Minister.

Awareness training for trafficking in persons

23. (1) Every operator of a security designated aerodrome and aircraft operator shall put in place measures to ensure that airport and aircraft operator personnel in direct contact with travelling public are provided with awareness training on trafficking in persons.

(2) The training referred to in subsection (1) shall be guided by the International Civil Aviation Organization Circular 352, Guidelines for Training Cabin Crew on Identifying and Responding to Trafficking in Persons of 2018 and includes the following—

- (a) why trafficking happens;
- (b) a description of victims and traffickers;
- (c) types of trafficking;
- (d) general and in-flight indicators of trafficking;
- (e) procedures related to recognising and responding to trafficking in persons;
- (f) cabin management and responding to concerns from other passengers;
- (g) communication and coordination between cabin crew and flight crew; and
- (h) reporting.

PART V

COMMITTEES

Establishment and Constitution of National Civil Aviation Security Committee

24. (1) In this section—

“National Civil Aviation Security Committee” refers to the National Civil Aviation Security Committee established in terms of section 44B of the Act;

(2) There is hereby established a Committee to be known as the National Civil Aviation Security Committee whose composition and functions are, as provided for in terms of section 44B of the Act;

Establishment and Constitution of National Air Transport Facilitation Committee

25. (1) There is hereby established a Committee to be known as the National Air Transport Facilitation Committee composed as follows—

- (i) the Director General who shall also be the Chairperson of the Committee, and in whose absence a member of the Committee chosen by the membership thereof shall act as Chairperson;
- (ii) an officer nominated by the Minister who shall be responsible for national air transport facilitation;
- (iii) an officer nominated by the Director General who shall act as Secretary of the Committee;
- (iv) an officer nominated by the Director General of Central Intelligence Organisation;
- (v) a member nominated by the Commissioner-General of the Zimbabwe Republic Police;
- (vi) an officer nominated by the Minister responsible for Foreign Affairs;
- (vii) an officer nominated by the Chief Director responsible for immigration;
- (viii) an officer nominated by the Commissioner-General responsible for customs;
- (ix) an officer nominated by the Minister responsible for Health and Child Care;
- (x) an officer nominated by the Minister responsible for Labour and Social Welfare;
- (xi) an officer nominated by the Minister responsible for Agriculture;
- (xii) an officer nominated by the Registrar-General;
- (xiii) an officer nominated by the Chief Executive Officer of Zimbabwe Tourism Authority;
- (xiv) an officer nominated by Chief Executive Officer, Air Zimbabwe (Private) Limited;
- (xv) eight officers nominated by the Chief Executive Officer of the Airports Company of Zimbabwe;
- (xvi) a representative from the Board of Airlines;
- (xvii) an officer nominated by the National Handling Services (Private) Limited;

- (xviii) an officer nominated by the Aviation Ground Services (Private) Limited;
- (xix) an officer nominated by Catercraft (Private) Limited;
- (xx) any other officers who may be co-opted by the Director General from time to time.

Functions of the National Air Transport Facilitation Committee

26. (1) The functions of the National Air Transport Facilitation Committee shall be—
- (a) to ensure coordination between relevant ministries, agencies and industry to remove unnecessary obstacles and delays and improve efficiency and service levels of civilian air transport services;
 - (b) to develop and implement the provisions of the National Air Transport Facilitation Programme in accordance with the provisions of Annex 9- *Facilitation* to the Convention on International Civil Aviation;
 - (c) to advise the Minister on matters relating to facilitation of civil air transport and to recommend and review the effectiveness of facilitation measures and procedures;
 - (d) to encourage the development of best practices in all areas of facilitation of civil air transport (e.g. immigration, customs, handling of persons with disabilities);
 - (e) to inform departments, competent agencies and other organisations concerned of significant relevant facilitation developments in the field of civil aviation and seek their consideration of, and make recommendations to them regarding issues related to the National Air Transport Facilitation Programme;
 - (f) to consider recommendations to enhance facilitation of civil air transport made by relevant entities, members of the National Air Transport Facilitation Committee or non- members of the National Air Transport Facilitation Committee;
 - (g) discuss proposed changes to regulations concerning facilitation of air transport; and
 - (h) to coordinate with the National Civil Aviation Security Committee on security related elements of facilitation matters.

Meetings and procedures of the Committees

27. (1) The National Civil Aviation Security Committee and the National Air Transport Facilitation Committee shall meet once in three months in each calendar year and shall regulate their meetings and procedures as they think fit.

(2) Meetings of the National Civil Aviation Security Committees and the National Air Transport Facilitation Committee may be called at the instance of the Chairperson.

(3) The National Civil Aviation Security Committee and the National Air Transport Facilitation Committee shall keep or cause to be kept proper records of the proceedings of the Committees.

(4) The quorum of the National Civil aviation Security Committee shall be eight members while the quorum of the National Air Transport Facilitation Committee shall be ten members.

(5) At all meetings of the National Civil Aviation Security Committee and the National Air Transport Facilitation Committee, each member present shall have one vote on a question before the Committee and, in the event of an equality of votes, the person presiding shall have, in addition to a deliberation vote, a casting vote.

(6) A resolution of the majority of the members present at a meeting of the National Civil Aviation Security Committee and the National Air Transport Facilitation Committee shall be a resolution of the respective Committees.

(7) A resolution of the National Civil Aviation Security Committee and the National Air Transport Facilitation Committee shall form part of the minutes.

(8) Any member may require the person presiding at a meeting of the National Civil Aviation Security Committee and the National Air Transport Facilitation Committee to direct that the dissent of the member from any resolution passed by the committee and the reasons for such dissent shall be recorded in the minutes of the meeting at which the resolution was passed.

(9) With the committee's approval, the Chairperson may invite any person to attend a meeting of the National Civil Aviation Security Committee or the National Air Transport Facilitation Committee, where the Chairperson considers that the person has special knowledge or experience in any matter to be considered by the Committee at that meeting.

(10) A person invited to attend a meeting of the National Committee in terms of subsection (9) may take part in the proceedings of the National Committee as if he or she were a member thereof, but shall not have a vote on any question before the Committee.

Minister may give Committees policy directions

28. The Minister may give the National Civil Aviation Security Committee and the National Air Transport Facilitation Committee directions as to general matters of policy relating to the exercise by it of its functions as appear to the Minister to be necessary and the Committee shall comply with any such directions.

Sub-committees

29. (1) For the better exercise of their functions, the National Civil Aviation Security Committee and the National Air Transport Facilitation Committee may establish sub-committees in which they may vest such of its functions, as they think fit and the Chairpersons of the Committees shall appoint one of the members of the sub-committee as chairperson and another as vice-chairperson of the sub-committee:

Provided that the vesting of a function in a sub-committee shall not prevent the Committee itself from exercising that function, and the Committee may amend or rescind any decision of the sub-committee in the exercise of that function.

(2) The minutes and reports of the sub-committee meetings shall be submitted to the respective Committee.

(3) The chairperson of the sub-committee may at any reasonable time and place convene a meeting of that sub-committee.

(4) The procedure of each sub-committee shall be as fixed from time to time by the Committee.

(5) Section 27 (2) to (10) shall apply, *mutatis mutandis*, to sub-committees and their members as they apply to the Committee and its members.

Airport Security Committee

30. (1) Every operator of a security designated aerodrome in Zimbabwe must establish an Airport Security Committee.

(2) The functions of the Airport Security Committee shall be as follows—

- (a) to coordinate the implementation and maintenance of security controls and procedures as specified in the operator of an aerodrome's Security Programme;
- (b) to oversee the implementation of the decisions or directives of the National Civil Aviation Security Committee;
- (c) to review and endorse the draft Aerodrome Security Programme or any adjustment of it before its submission for formal approval by the Authority;
- (d) to oversee and monitor the Aerodrome Security Programme, including special measures introduced by the airport administration, operators and airport tenants;
- (e) to prescribe and co-ordinate security education, awareness and training of airport and other staff and the general public.
- (f) to review and provide security advice on plans for new or modified facilities as well as new or modified operational processes;
- (g) to oversee the planning, implementation and coordination of mitigation and response activities to pertinent security risks at airports;
- (h) to ensure the coordination of landside security measures between relevant departments, agencies and other entities at airport level;
- (i) to report to the National Civil Aviation Security Committee or to the appropriate authority as necessary; and
- (j) to coordinate with the Airport Facilitation Committee.

(3) The Airport Security Committee shall refer matters to the National Civil Aviation Security Committee.

(4) The manager of the security designated aerodrome shall be the chairperson for each of the Airport Security Committee.

(5) The composition of the Airport Security Committee shall be as follows—

- (a) the responsible officer or manager of the airport who shall be the Chairperson, and in whose absence a member of the Committee chosen by the membership thereof shall act as Chairperson;

- (b) the responsible officer for aviation security of the airport operator;
- (c) the officer in charge of the Police station at the airport;
- (d) a representative of Customs;
- (e) a representative of the Department of Immigration;
- (f) a representative of the Zimbabwe National Army;
- (g) a representative of the Air Force of Zimbabwe;
- (h) Ministry of Foreign Affairs (protocol division);
- (i) a representative of the Central Intelligence Organisation;
- (j) a representative of Air Zimbabwe;
- (k) a representative of the air traffic services provider;
- (l) a representative of Rescue and Fire Fighting Services;
- (m) a representative of commercial air transport operators;
- (n) a representative from general aviation;
- (o) a representative from ground handling agents;
- (p) a representative from in-flight catering agent;
- (q) two representatives from regulated agents;
- (r) a representative from operators on tenant restricted areas;
- (s) Zimbabwe Postal Services (ZIMPOST) and express parcel and mail operators.

(6) The Chairperson must convene every meeting of the Airport Security Committee.

(7) The Airport Security Committee may invite any person to attend and take part in the proceedings of the Committee and that person may participate in any discussion at the meeting but does not have a right to vote at that meeting.

Airport Facilitation Committee

31. (1) Every operator of a security designated aerodrome in Zimbabwe must establish an Airport Facilitation Committee whose functions shall be to coordinate civil aviation facilitation matters at the airport level as provided for in the National Air Transport Facilitation Programme and the Airport Facilitation Programme.

(2) The Airport Facilitation Committees shall refer matters to the National Air Transport Facilitation Committee.

(3) The manager of the security designated aerodrome shall be the chairperson for each of the Airport Facilitation Committees.

(4) The chairperson must appoint other members of the Airport Facilitation Committee.

(5) The composition of the Airport Facilitation Committee include—

- (a) the responsible officer or manager of the airport who shall also be the Chairperson of the Committee, and in whose absence a member of the Committee chosen by the membership thereof shall act as Chairperson;
- (b) a representative from the Central Intelligence Organisation;
- (c) a representative from the Zimbabwe Republic Police;
- (d) a representative from the Ministry responsible for Foreign Affairs;
- (e) a representative from the Department of Immigration;
- (f) a representative from the Zimbabwe Revenue Authority;
- (g) a representative from the Ministry of Health and Child Care;
- (h) a representative from the Ministry of Agriculture;
- (i) a representative from the Registrar-General's office;
- (j) a representative from the Zimbabwe Tourism Authority;
- (k) a representative from Air Zimbabwe (Private) Limited;
- (l) a representative from the Board of Airlines;
- (m) a representative from each of the ground handling agents operating at the airport;
- (n) a representative from the in-flight catering service providers;
- (o) any other officers who may be co-opted by the Airport Manager from time to time.

(4) The Chairperson must convene every meeting of the Airport Facilitation Committee.

(5) The Airport Facilitation Committee must ensure that Airport facilitation Programme is up to date and effective and that its provisions are being properly applied.

(6) The Airport Facilitation Committee may invite any person to attend and take part in the proceedings of the Committee and that person may participate in any discussion at the meeting but does not have a right to vote at that meeting.

PART VI

OPERATOR SECURITY RESPONSIBILITIES

Conducting of background checks

32. (1) Every operator shall ensure that background checks are conducted in respect of persons—

- (a) implementing security controls;
- (b) persons with unescorted access to security restricted areas, and
- (c) persons with access to sensitive aviation security information;
prior to their taking up these duties or accessing such areas or information.

(2) Every operator shall conduct recurrent background checks once every two years on;

- (a) persons implementing security controls;
- (b) persons with unescorted access to security restricted areas; and
- (c) persons with access to sensitive aviation security information.

(3) Every operator shall ensure that any person found unsuitable by any background checks or lacks legitimate reasons to access or for other considerations shall immediately be denied—

- (a) the ability to implement security controls;
- (b) unescorted access to security restricted areas; and
- (c) access to sensitive aviation security information.

Aerodrome operator security responsibilities

33. (1) Every aerodrome operator shall, prior to the implementation of any renovation and expansion work to his or her aerodrome or the construction of additional aerodrome facilities at the same location, submit to the Authority a revision of his or her measures designed to safeguard aerodrome against acts of unlawful interference which may arise.

(2) Where a foreign aircraft operator uses the aerodrome facilities of an aerodrome operator, the Authority may, in co-ordination with the aerodrome operator, approve an inspection by the entity responsible for aviation security of the Contracting State of such foreign aircraft operator in order to assess the adequacy of the security measures.

(3) Every aerodrome operator shall keep at the aerodrome a current scale map of the aerodrome that identifies the restricted areas in accordance with the appropriate Airport Restricted Area procedures, security barriers and restricted area access points.

(4) Every aerodrome operator shall ensure that—

- (a) initial and recurrent background checks are conducted for persons implementing security controls in terms of section 32; and
- (b) initial and recurrent training on aviation security is received by each person implementing security controls in his or her employment.

(5) Every aerodrome operator shall keep an accurate record of the initial and periodic background checks, experience and training of an aviation security officer and aviation security screening officer in his or her employment and such record shall be retained for the duration of his or her employment and thereafter for a period of five years.

(6) Every aerodrome operator shall designate, in his approved Aerodrome Operator Security Programme, an officer in his or her organisation, suitably qualified, trained and experienced in aviation security, who shall be responsible for—

- (a) the co-ordination of all aviation security policies, procedures and preventive measures applied at a security designated airport;

- (b) the implementation of the Aerodrome Operator Security Programme and having direct line of communication with the aerodrome operator's manager; and
- (c) serving as the primary contact of the aerodrome operator for security-related activities and communications with the Authority.

(7) Any person who contravenes this section shall be guilty of an offence and shall be liable to a fine not exceeding level 8 or to an imprisonment for a period not exceeding six years or to both such fine and such imprisonment.

Security incidents

34. (1) Every operator shall immediately notify the Police and the Authority where there is—

- (a) the discovery of an unauthorised firearm;
- (b) the discovery at the aerodrome or on board an aircraft of an explosive substance or an incendiary device or a suspected explosive substance or suspected incendiary device;
- (c) refusal by a person to submit to the security screening required under these regulations;
- (d) refusal by a person to leave a restricted area or remove his or her goods from a restricted area when so ordered by an aviation security officer;
- (e) a report of unattended baggage located in his or her area of responsibility;
- (f) a report of suspicious packages, articles or goods in his or her area of responsibility; or
- (g) a specific threat against civil aviation operations.

(2) Every operator shall investigate any of the reported security incidents set out in subsection (1) and provide a report of the incident to the Authority in accordance with procedures set out in his or her approved aerodrome operator security programme.

Security incident records

35. (1) Every operator shall ensure that a record is kept for every security incident at his or her area of operation.

(2) Subject to subsection (1), a record shall—

- (a) be kept for a minimum of 3 months;
- (b) be made available to the Authority upon request; and
- (c) include the number —
 - (i) and type of weapons and incendiary devices discovered during any passenger screening process and the method of detection of each;
 - (ii) of acts and attempted acts of air piracy;
 - (iii) of bomb threats received, real and simulated bombs found and actual bombings at the aerodrome; and
 - (iv) of detentions and arrests and the immediate disposition of each person detained or arrested.

Aircraft operator and regulated agent security responsibilities

36. (1) No aircraft operator shall accept a consignment of cargo, courier and express parcel or mail for carriage on passenger flights unless the security of such consignments is accounted for by a regulated agent that is approved by the Authority, or such consignments are subjected to other security controls, that are approved by the Authority, to safeguard such aircraft against an act of unlawful interference.

(2) A regulated agent, prior to accepting goods for transport in an aircraft, shall carry out such security controls as are specified in his or her approved regulated agent security programme.

(3) An approved regulated agent who offers goods to an aircraft operator for transport by aircraft shall retain and make available to the aircraft operator and the Authority—

- (a) shipping documents;
- (b) records of goods accepted and offered for air transport;
- (c) employee training records;
- (d) airway bills; and
- (e) valid consignment security declarations.

Aircraft operator receiving goods from a regulated agent

37. (1) An aircraft operator accepting goods from a regulated agent for transportation on his or her aircraft—

- (a) may conduct screening of such shipment of goods; and
- (b) shall ensure—
 - (i) the safeguarding of such goods against unlawful interference until such goods have been placed in the aircraft;
 - (ii) that his or her shipment of goods are recorded; and
 - (iii) that whenever the goods are received from an approved regulated agent such goods are delivered by an authorised employee of such regulated agent.
- (c) An aircraft operator shall ensure that enhanced security measures are provided to high-risk cargo so as to mitigate the threat associated with it.

(2) An aircraft operator shall not accept any goods for transportation by aircraft unless the documentation for such goods is examined for inconsistencies and is accompanied by a valid consignment security declaration.

(3) An aircraft operator shall not accept any goods from a regulated agent for transportation by aircraft unless that regulated agent is an accepted and accredited regulated agent as determined by the Authority.

(4) An aircraft operator shall provide an approved regulated agent with all the necessary information in order that he is able to comply with the International Civil Aviation Organisation Technical Instructions for the Safe Transport of Goods by Air.

(5) An aircraft operator shall make available to the Authority a report of any incident where an airway bill or equivalent document did not provide an accurate record of the goods being offered for air transport.

(6) An aircraft operator, except as provided for in the International Civil Aviation Organisation Technical Instructions for the Safe Transport of Goods by Air, shall not place in an aircraft any goods that are not acceptable.

Inspection of goods offered for transportation by regulated agent

38. (1) An aircraft operator may inspect any goods or any package or container having goods offered for transportation by air by a regulated agent.

(2) Where an inspection is conducted in terms of subsection (1), a regulated agent or a representative of the regulated agent may observe the inspection.

(3) In the absence of a regulated agent or a representative of a regulated agent, an aircraft operator may use such force as is necessary to access the contents of any package or container containing goods offered for transport by air by such regulated agent, representative of a regulated agent or aircraft operator.

(4) Where an inspection is conducted by an aircraft operator in terms of subsection (1), the package, container or goods shall remain in possession of the aircraft operator until after the inspection is complete.

(5) Where an inspection of goods provides evidence of tempering, the aircraft operator shall maintain possession of the goods offered for air transport by a regulated agent and the airway bill and inform the Authority in the prescribed manner.

Screening of cargo by aircraft operator

39. (1) An aircraft operator accepting goods from a consignor or any authorised representative of the consignor, that is not a regulated agent approved by the Authority, must conduct screening of those goods to determine that they do not contain any weapons, explosives or other dangerous goods, prior to them being carried on an aircraft.

(2) An aircraft operator shall ensure that transfer cargo and mail are subjected to appropriate security controls prior to being loaded on a commercial aircraft.

(3) An aircraft operator shall ensure that where screening of cargo and mail is conducted, screening is carried out using an appropriate methods, taking into account the nature of the consignment.

(4) An aircraft operator shall establish appropriate mechanisms to confirm that transfer cargo and mail entering his or her aircraft has been subjected to appropriate security controls.

Flight catering operator security responsibilities

40. (1) A flight catering operator prior to accepting raw materials and equipment for preparation as catering supplies for transport in an aircraft shall follow such procedures as are specified in his or her approved flight catering operator security programme.

(2) An approved flight catering operator who offers catering stores and supplies to an aircraft operator for transport by aircraft shall retain and make available to the aircraft operator and the Authority—

- (a) shipping documents;
- (b) records of raw materials and equipment accepted;
- (c) catering stores and supplies offered for air transport;
- (d) employee training records; and
- (e) other accountable catering documents.

Aircraft operator receiving catering stores and supplies from flight catering operator

41. (1) An aircraft operator accepting catering stores and supplies for transportation on his or her aircraft—

- (a) shall ensure that all catering supplies are properly recorded on documentation and are secured through the use of catering seals;
- (b) shall accept the integrity of the catering if he or she is satisfied that the seals and documentation are in order and that the catering shows no signs of being tampered with;
- (c) shall conduct screening of such shipments of catering if the seals and documentation do not match, or if the catering shows any sign of having been tampered with; and
- (d) shall ensure that whenever the catering supplies and stores are received, such catering supplies and stores are delivered by an authorised employee of such approved flight catering operator.

(2) An aircraft operator shall not accept any catering supplies and stores for transportation by aircraft unless the documentation for such catering supplies and stores is examined for inconsistencies and is accompanied by a valid security declaration.

(3) An aircraft operator shall not accept any catering supplies and stores, from a flight catering operator for transportation by aircraft unless the flight catering operator is in possession of an approved flight catering operator security programme.

(4) An aircraft operator shall make available to the Authority a report of any incident where a catering or equivalent document did not provide an accurate record of the catering supplies and stores being offered for air transportation.

(5) An aircraft operator, except as provided in the International Civil Aviation Organisation Technical Instructions for the Safe Transport of Goods by Air; shall not place in an aircraft, any catering supplies and stores that endanger the safety of civil aviation.

Inspection of catering supplies

42. (1) An aircraft operator may inspect any catering supplies and stores, any package or container having catering supplies and stores offered for transportation by air by an approved flight catering operator.

(2) Where an inspection is conducted in terms of subsection (1), a flight catering operator or a representative of the flight catering operator may observe the inspection.

(3) In the absence of a flight catering operator or a representative of a flight catering operator, an aircraft operator may use such force as is necessary to access the contents of any package or container containing catering supplies and stores offered for transportation by air by such flight catering operator.

(4) Where an inspection is conducted by an aircraft operator, package, container or catering supplies and stores shall remain in the possession of the aircraft operator until such inspection is complete.

(5) Where an inspection of catering supplies and stores under these regulations provides evidence of tampering, the aircraft operator shall maintain possession of the catering supplies and documentation and inform the Authority.

(6) An aircraft operator shall preserve for not less five years any record of acceptance, checklist and inspection carried out in terms of this section.

(7) A flight catering operator shall ensure that merchandise and supplies introduced into security restricted areas are subjected to appropriate security controls.

PART VII

AVIATION SECURITY SERVICE

Establishment of Civil Aviation Security Service

43. (1) Every operator of a security designated aerodrome shall establish a Civil Aviation Security Service responsible for:

- (a) the prevention of the commission of crimes against civil aviation at all aerodromes and air navigational installations; and
- (b) the protection of persons and property from dangers arising from the commission or attempted commission of such crimes;
- (c) carrying out passenger and baggage screening and undertaking searches of passengers, baggage, cargo, aircraft, any building or any area, at an aerodrome or at any air navigation installation:

Provided that where it is necessary to search a female passenger such search shall be conducted by a female civil aviation security officer and shall be conducted with strict regard to decency; and

- (d) carrying out aerodrome security patrols and patrols of any air navigation installations; and
- (e) reviewing, inquiring into and keeping itself informed on security techniques, systems, devices, practices and procedures related to the protection of civil aviation and the persons employed in or using it; and
- (f) undertaking, encouraging or supervising such experimental or research work as the Authority may approve; and
- (g) controlling pedestrian and vehicular traffic at any airport or air navigation installation; and
- (h) co-operating with the Police Force, relevant government departments, operators and authorities administering the civil aviation security services of other countries and with any appropriate international organisations; and
- (i) where there is reasonable suspicion, request any person who is in a security restricted area to state his or her name and the purpose of his or her presence in that area and to produce satisfactory evidence to confirm his or her identity.

(2) Every security designated aerodrome must ensure that supporting resources and facilities required by the aviation security services are available.

Powers of civil aviation security officers

44. (1) Where a civil aviation security officer has reasonable grounds of believing that an offence has been, is being or is about to be committed in the vicinity of any aerodrome or any air navigation installation by any person, he or she shall as soon as possible apprehend and deliver the person concerned to a member of the Police Service.

(2) A civil aviation security officer on duty may at any time enter any aerodrome or air navigation installation or any aircraft, building, vehicle or place or any part of any aerodrome or any air navigation installation for the purpose of carrying out his or her duties.

(3) Where a member of the Police Service takes command, for any reason, of any situation at any aerodrome or any air navigation installation, the power of civil aviation security officers to enter any part thereof of any building, aircraft, or place shall be subject to such limitation as the senior police officer present may specify.

(4) Subject to subsection (1), a member of the Police Service shall investigate into the matter and deal with the suspect in accordance with the law.

(5) Any person who—

- (a) impersonates a civil aviation security officer; or
- (b) wilfully obstructs, incites or encourages any person to obstruct a civil aviation security officer in the execution of his or her duties; or
- (c) assaults any civil aviation security officer who is engaged in the execution of his or her duties;

shall be guilty of an offence and be liable to a fine not exceeding level 5 or to imprisonment for a period not exceeding three months or to both such fine and such imprisonment.

PART VIII

AIRPORT IDENTIFICATION CARDS AND VEHICLE PASSES

Access to airside areas and security restricted areas

45. (1) No person shall enter or remain in any airside area, security restricted area or air navigation installation unless such person is on official duty and has—

- (a) been issued with an airport identification card by the operator of a security designated aerodrome; or
- (b) in his or her possession any other identification document authorised by the Authority;
- (c) a vehicle pass in the case of a person driving a vehicle.

(2) Subject to subsection (1), every operator of a security designated aerodrome shall ensure that identification cards are issued to persons with an operational need or other legitimate reason to access to airside areas and into security restricted areas.

(3) Notwithstanding subsection (1) a passenger embarking or disembarking directly through any gateway or thoroughfares provided for that purpose, or being in an arrivals hall, or transit or departure lounge for the purpose of embarking on or disembarking from an aircraft, shall be deemed to be authorised by the operator of a security designated aerodrome to be in a restricted area forming part of those gateways, arrivals halls, transit or departure lounges, as the case may be.

(4) No person shall drive or cause any vehicle to be driven into a security restricted area unless such vehicle is issued with a vehicle pass by the operator of a security designated aerodrome.

(5) A permanent identification card issued in terms of this section shall be valid for a period not more than two years whilst a temporary identification card and vehicle passes shall be valid for a period not exceeding six months.

(6) Any person who contravenes this section shall be guilty of an offence and be liable to a fine not exceeding level fourteen or to imprisonment for a period not exceeding fifteen years or to both such fine and such imprisonment.

Form of identification cards and vehicle passes

46. (1) An identification card issued in terms of this section shall—

- (a) contain, *inter alia*, the following—
 - (i) the full names;
 - (ii) the national registration or passport number issued by or on behalf of the Government of Zimbabwe;
 - (iii) in case of a person accredited to Zimbabwe as a diplomat or an international civil servant, the number of any passport issued by a foreign government, international organisation or an identity document issued by the Ministry responsible for foreign affairs;
 - (iv) photograph of the holder; and
 - (v) name of the organisation
- (b) state, by numerical or other code—
 - (i) the identification card number and its period of validity;
 - (ii) the areas of any aerodrome or air navigation installation to which the holder may have access.

(2) Every vehicle pass issued in terms of this section shall state—

- (a) the name of the organization; and
- (b) the registration number of the vehicle; and
- (c) the period of validity of such pass; and
- (d) the restricted areas to which the vehicle has been granted access.

Register of identification cards and vehicles passes

47. Every operator of a security designated aerodrome shall keep a register of all identification cards and vehicle passes issued in terms of section 45 and shall review at regular intervals the eligibility of those persons on the register to continue to hold such cards or passes.

Recall and cancellation of identification cards and vehicle passes

48. Every operator of a security designated aerodrome may, at any time, recall and cancel any identification card or vehicle pass issued in terms of section 45 if the operator of a security designated aerodrome has reason to believe that the person holding such a card—

- (a) no longer qualifies to have access to a restricted area; or
- (b) has a criminal record; or
- (c) has not complied with any of the conditions subject to which the identification card or vehicle pass was issued.

Return of identification cards and vehicle passes

49. Where the holder of an identification card or vehicle pass ceases to be employed in a position for which the card or pass is required, or for any other reason ceases to be entitled to hold such card or pass, the holder shall forthwith return such card or pass to the operator of a security designated aerodrome.

Issuance of duplicate identification cards or vehicle passes

50. (1) Where any identification card or vehicle pass—

- (a) is lost; or
- (b) is defaced; or
- (c) is illegible;

the operator of a security designated aerodrome may issue a duplicate identification card or vehicle pass on payment of the appropriate fees.

(2) The operator of a security designated aerodrome shall proceed to issue a Stop List of the lost identification cards and vehicle passes for dissemination to all access points of the airport or security restricted areas.

Responsibilities for holders of airport identification cards and vehicle passes

51. (1) Every holder of an airport identification card shall—

- (a) display such airport identification card on the outer garment at all times whilst in the airport security restricted areas;
- (b) submit to security screening and search procedures at airport security checkpoints;
- (c) not carry prohibited articles into the security restricted area;
- (d) within 24 hours of loss, report the loss of a permit: to the police and submit a Police Report attached to his or her written report to the issuing authority explaining the circumstances under which the identification card was lost;
- (e) responsible for safeguarding the permit and is held accountable for its use;
- (f) surrender the permit to the issuing authority when its validity has expired or the need for access no longer exists

(2) Every holder of a vehicle pass shall—

- (a) display such pass on the front windscreen of such vehicle, at all times when the vehicle is in a restricted area;
- (b) within 24 hours of loss, report the loss of a pass: to the Police and submit a Police Report attached to his or her written report to the issuing authority explaining the circumstances under which the vehicle pass was lost;

(3) The display of a vehicle pass shall not exempt the occupants of such vehicle from compliance with these regulations.

(4) Any person who contravenes this section shall be guilty of an offence and shall be liable to a fine not exceeding level 5 or to imprisonment for a period not exceeding three months or to both such fine and such imprisonment.

Transfer of vehicle passes prohibited

52. No vehicle pass shall be transferred from one vehicle to another.

Vehicles not to cause interference

53. (1) Any vehicle within a restricted area shall be driven and conducted in such a manner as not to cause any restriction, hazard or interference to aircraft or to any air navigation installations.

(2) A civil aviation security officer may, if he or she is aware of any vehicle causing any restriction, hazard or interference within a restricted area move or cause the vehicle to be moved to a place—

- (a) where it will not cause any restriction, hazard or interference; or
- (b) outside the restricted area.

(3) The operator of a security designated aerodrome shall not be liable for any damage to a vehicle that is moved or caused to be moved by an aviation security officer exercising his or her powers in terms of this section.

PART IX

PREVENTIVE SECURITY MEASURES—SCREENING AND ACCESS CONTROL

Implementation of security measures

54. Every operator shall—

- (a) 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;
- (b) ensure the use of randomness and unpredictability in the implementation of the aviation security measures referred to in paragraph (a).

Screening of persons, passengers and their cabin baggage

55. (1) Every operator of a security designated aerodrome shall subject any aircraft, passenger, baggage, cargo mail and express parcel arriving at a security designated aerodrome from a non-security designated aerodrome to the same security controls applicable at the destination airport upon arrival, whether or not the said destination airport is engaged in international or domestic operations.

(2) Every operator of a security designated aerodrome must apply screening in accordance with procedures provided for in the National Civil Aviation Security Programme, to persons other than passengers, together with items carried, goods or other articles in their possession, prior to entry into the airside, including the security restricted areas, at security designated aerodromes.

(3) Every operator of a security designated aerodrome or a person employed or contracted by that operator to provide aviation security services must establish measures, in accordance with the National Civil Aviation Security Programme, to ensure that originating passengers and their cabin baggage are screened prior to boarding an aircraft departing from a security restricted area.

(4) Every operator of a security designated aerodrome must screen transfer passengers of commercial air transport operations and their cabin baggage prior to boarding an aircraft in accordance with measures provided for in the National Civil Aviation Security Programme.

(5) Every operator of security designated aerodrome must protect passengers and their cabin baggage which have been screened from unauthorised interference from the point of screening until they board the aircraft.

(6) Where mixing of screened and unscreened passengers takes place, the passengers concerned and their cabin baggage must be re-screened before boarding an aircraft.

(7) An operator of a security designated aerodrome must establish measures for transit operations to protect transit passengers and their cabin baggage from unauthorised interference and protect the integrity of the security of the airport of transit.

(8) Every operator of a security designated aerodrome must apply screening or other appropriate security controls to vehicles being granted access to security areas or security restricted areas, together with items contained within them, in accordance with a risk assessment carried out by the Authority.

(9) An organisation approved by the Authority to carry out screening functions must ensure that any person who acts or will act as a screening officer for it or on its behalf meets the minimum standards set out by the Authority in the National Civil Aviation Security Programme, as amended from time to time.

- (10) No person who is at an aerodrome or on board an aircraft shall make a statement that—
- (a) they are carrying a weapon, an explosive substance, an incendiary device or other dangerous item that could be used to jeopardise the security of an aerodrome or aircraft or that such an item is contained in goods or other items in their possession or control or in a vehicle under their care or control that they have tendered or are tendering for screening or transportation; or
 - (b) another person who is at the aerodrome or on board an aircraft is carrying a weapon, an explosive substance, an incendiary device or other dangerous item that could be used to jeopardise the security of an aerodrome or aircraft or that such an item is contained in goods or other items in that person's possession or control or in a vehicle under their care or control and is being tendered or has been tendered for screening or transportation.

(11) Any person who contravenes this section shall be guilty of an offence and shall be liable to a fine not exceeding level 5 or to an imprisonment for a period not exceeding two years or to both such fine and such imprisonment.

Exemptions from screening

56. (1) Every operator shall ensure that only the following persons are exempted from screening at airports facilities within Zimbabwe—

- (a) the President of the Republic of Zimbabwe and entourage;
- (b) visiting Heads of State on official visit and entourage;
- (c) the Vice Presidents of the Republic of Zimbabwe and entourage;
- (d) visiting Vice Presidents on official visit and entourage; and
- (e) the former Head of State of the Republic of Zimbabwe.

Refusal of screening

57. (1) Any person who refuses to allow themselves and their carry-on baggage, goods or other articles in their possession to be screened will be denied access to the enhanced security restricted area or sterile area or will be denied boarding, as the case may be.

(2) No person shall circumvent screening of their person or goods or other items in their possession or control or a vehicle under their care or control or assist another person who must be screened in circumventing a screening of that person or goods or other items in that person's possession or control or a vehicle under that person's care or control.

(3) Where, after entering an enhanced security restricted area or sterile area, a person who is required by an aviation security officer or aviation security screening officer, to submit to screening of his or her person, goods, vehicle or means of conveyance refuses such a search, the aviation security officer or aviation security screening officer shall order such person to leave the enhanced security restricted area or sterile area and remove the goods, vehicle or means of conveyance in his or her possession from the enhanced security restricted area or sterile area.

(4) Where, after having boarded an aircraft, a passenger is required by an aviation security officer or aviation security screening officer to submit to the screening of his or her person, or of the goods that he or she has carried or has placed on board the aircraft and he or she refuses such a screening, the aviation security officer or aviation security screening officer shall order such person to disembark the aircraft and remove the carry-on baggage, goods or checked baggage of such person.

(5) Any person who contravenes this section shall be guilty of an offence and liable to a fine not exceeding level fourteen or to imprisonment for a period not exceeding five years or to both such fine and such imprisonment.

Screening of hold baggage

58. (1) Every operator must—

- (a) 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, in accordance with procedure provided for in the National Civil Aviation Security Programme;
- (b) use appropriate screening methods that are capable of detecting the presence of explosives and explosive devices in hold baggage;

- (c) protect, in accordance with procedure provided for in the National Civil Aviation Security Programme, all hold baggage to be carried on a commercial aircraft from unauthorised interference from the point it is screened or accepted into the care of the air carrier or aircraft operator;
- (d) 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;
- (e) apply screening as provided for in the National Civil Aviation Security Programme, to transfer hold baggage prior to being loaded into an aircraft engaged in commercial air transport operations, unless it has established a validation process as provided for in the same programme.

(2) Any person who contravenes this section shall be guilty of an offence and liable to a fine not exceeding level 14 or to an imprisonment for a period not exceeding fifteen years or to both such fine and such imprisonment.

Unaccompanied and unidentified baggage

59. (1) Where baggage is received at an aerodrome for transportation on an aircraft and such baggage is not accompanied by a person who may give the permission to screen such baggage, an aviation security officer or aviation security screening officer, may carry out an authorised search of the baggage in the presence of the aircraft operator concerned, and in carrying out that search may use such force as may reasonably be necessary to gain access to the baggage.

(2) No commercial aircraft operator shall accept for carriage baggage of passengers who are not on board an aircraft unless such baggage has been declared as unaccompanied and subjected to screening.

(3) Every operator of a security designated aerodrome must establish procedures in their aerodrome operator security programmes to deal with unidentified baggage and suspicious objects in accordance with a security risk assessment carried out by the relevant national authorities.

Unattended and mishandled baggage

60. (1) Where baggage is left unattended or abandoned at an airport terminal, an aviation security officer shall report to the police so that it can be investigated and if necessary, destroyed or removed to a safe location or confiscated.

(2) Every operator of a security designated aerodrome serving civil aviation in Zimbabwe must establish storage areas where mishandled baggage may be held after screening until forwarded, claimed or disposed of.

Access control systems

61. (1) Every operator of a security designated aerodrome or navigation installation, or a person employed or contracted by such to provide aviation security services shall ensure that the location and function of restricted areas, enhanced security restricted areas and sterile areas at the aerodrome are designated and properly defined within the appropriate aerodrome restricted area procedures.

(2) The level of access to a restricted area, enhanced security restricted area or sterile area shall be clearly defined and made known to all persons at the aerodrome whose duties require them to have access to these areas.

(3) An aerodrome operator shall include in his or her approved aerodrome operator security programme details of a system, method and procedure, which shall ensure that—

- (a) access points into restricted areas, enhanced security restricted areas or sterile areas are limited in number and physical access through those points are strictly controlled;
- (b) entry points which cannot be effectively controlled are locked or otherwise secured against entry by unauthorised persons;
- (c) access by persons and vehicles to restricted areas, enhanced security restricted areas and sterile areas is restricted only to persons who have a clear need for such access by virtue of their duties;
- (d) enhanced security restricted areas and sterile areas not subject to continual access control measures shall be subjected to a thorough search prior to being brought into use;
- (e) a person whose duties require him or her to be at the aerodrome is required to have on display on his or her person, a valid aerodrome identification permit and any baggage or item he or she carries shall be screened before being allowed access to enhanced security restricted areas or sterile areas;
- (f) the screening in terms of paragraph (e) shall be to the same standard for all as that required for passengers, in terms of section 62;

- (g) the movement of persons and vehicles to and from the aircraft in security restricted areas is supervised in order to prevent unauthorised access to aircraft in accordance with the requirements provided for in the National Civil Aviation Security Programme;
- (h) checks specified in paragraph (f) are reapplied on a regular basis to all persons granted unescorted access into security restricted areas; and
- (i) persons at an aerodrome are aware of what areas there are prohibited access.

(4) Notwithstanding the screening requirements in terms of these regulations, Authority may consider screening at certain access points on a random basis depending on the assessed risk where details of such risks are included in an approved aerodrome operator security programme.

Screening of passengers and property by aircraft operator

62. (1) An aircraft operator shall ensure that the following are screened at an aerodrome—

- (a) passengers, transit passengers, transfer passengers and crew travelling on his or her aircraft;
- (b) carry-on baggage of persons under paragraph (a);
- (c) checked baggage of persons under paragraph (a); and
- (d) other goods in the hold of his or her aircraft.

(2) Notwithstanding subsection (1) an aircraft operator may authorise the aerodrome operator or any other person to conduct the screening functions set out in his or her approved aircraft operator security programme.

(3) In giving an authorisation to an aerodrome operator or any other person under subsection (2) the aircraft operator shall further instruct such aerodrome operator or person, to prohibit any passenger refusing to be screened from entry onto any of his aircraft.

(4) An aircraft operator or person authorised by him or her, shall use procedures, facilities and equipment described in his or her aircraft operator security programme—

- (a) to prevent or deter the carriage of any weapon or incendiary device on or about the person of an individual or accessible property and the carriage of any weapon or incendiary device in checked baggage on aircraft;
- (b) to detect the existence of a weapon or incendiary device, inspect each person entering a sterile area at each pre-boarding screening check point and all accessible property under the control of such person; and
- (c) to perform the following control functions with respect to each aircraft operation for which screening is required—
 - (i) prohibit unauthorised access to the aircraft;
 - (ii) ensure that baggage carried in the aircraft is checked-in by a properly trained agent and that identification is obtained from all passengers and persons shipping goods or cargo on board the aircraft;
 - (iii) ensure that cargo and checked baggage carried on board the aircraft are handled in a manner that prohibits unauthorised access;
 - (iv) conduct a security inspection of the aircraft before placing it in service and after it has been left unattended; and
 - (v) ensure that aircraft is protected from unauthorised interference from the time the aircraft search or check has commenced until the aircraft departs.

(5) An aircraft operator shall refuse to transport—

- (a) any person who does not consent to an authorised search of his or her person when required to do so by the aircraft operator or person authorised to conduct such searches on his or her behalf ; and
- (b) any property of any person who does not consent to a search or inspection of that property in accordance with the screening system provided for in this section.

(6) An aircraft operator shall remove from the aircraft any item left behind by passengers disembarking from any commercial flight and handover such item to aircraft operator security.

(7) A foreign aircraft operator shall not conduct a flight within Zimbabwe with a passenger on board who refuses to submit to a screening required in terms of these regulations or while the carry on or checked baggage of such person is on board his or her aircraft.

(8) Notwithstanding being in possession of a boarding pass, where the pilot in command of an aircraft has reasonable grounds to believe that a person is in violation of this Part, the pilot in command may order that person to disembark such aircraft.

(9) Where a person resists the order contemplated in subsection (8), the pilot in command shall communicate with the relevant authority to eject him or her.

Screening of vehicles

63. (1) Every operator shall require the driver of a vehicle entering a restricted area or being within a restricted area, to submit such vehicle for screening.

(2) Any person who fails to comply with a request made in terms of subsection (1) shall be guilty of an offence and shall be liable to a fine not exceeding level five or to imprisonment for a period not exceeding six months, or to both such fine and such imprisonment.

Carriage of weapons, firearms, ammunition and other explosives onto aircraft or into security restricted areas

64. (1) Operators of security designated aerodromes must ensure that the carriage of weapons, firearms, ammunition and other explosives into aircraft or into security restricted areas must be in accordance with the requirements and conditions prescribed in the National Civil Aviation Security Programme.

(2) No person shall carry any firearm on board any air transport service, or into airport security restricted areas, without the permission of the Authority:

Provided that where special requests are made by a State to allow the travel of armed personnel on board any aircraft, the Authority shall exercise his or her discretion, and in consultation with all States involved, permit the carrying of firearm by specified personnel in accordance with the conditions imposed by him or her.

(3) Any person who wishes to carry a firearm on board an air transport service shall apply to the Authority on Form A.S.5, specified in the Second Schedule, and such application shall be accompanied by the prescribed fee specified in the First Schedule:

Provided that this section shall not apply to in-flight security officers.

(4) An application in terms of subsection (3) shall be made not later than twenty-four hours before the time at which the flight concerned is expected to arrive or depart from Zimbabwe.

(5) On receipt of an application made in terms of subsection (3), the Authority shall—

- (a) consult an officer of the Zimbabwe Republic Police authorised for this purpose by the Commissioner-General; and
- (b) seek approval of the operator on which the applicant intends to carry the firearm.

(6) Where the Authority grants permission to an applicant to carry a firearm on board an air transport service, he or she shall inform the operator concerned.

(7) The operator shall inform the pilot-in-command of that air transport service of the persons who will carry firearms on board the air transport service.

(8) An operator shall ensure that every firearm carried on board an air transport service by any person is—

- (a) not loaded; and
- (b) in a safe condition; and
- (c) stowed in a place that is inaccessible to any person not authorised to have possession of it.

(9) The Zimbabwe Republic Police shall be the authority responsible for ensuring that weapons taken on board an aircraft are safe.

(10) An aircraft operator shall not permit any person to transport, nor shall any person transport or tender for transport, a weapon, incendiary device or firearm in checked baggage on board an aircraft without authorisation.

(11) An aircraft operator shall not permit any person to transport, nor may any person transport or tender for transport, a firearm in checked baggage on board an aircraft unless—

- (a) such person declares to the aircraft operator, either orally or in writing before tendering the baggage for the purpose of being checked in that he or she has a firearm carried in his or her checked baggage and it is unloaded;

- (b) the baggage or container in which a firearm is carried is locked;
- (c) the checked baggage or container containing the firearm is loaded on the aircraft in an area that is inaccessible to passengers; and
- (d) such person presents a licence for such firearm from the State that permits him or her to have in his or her possession such firearm, an export licence for such firearm from the State of departure and an import licence for such firearm to the State of destination.

(12) Where a firearm is to be transported in checked baggage but is not secured in such checked baggage it shall be carried in the hold of the aircraft, in a container that the aircraft operator considers appropriate for air transportation.

(13) Any person who contravenes this section shall be guilty of an offence and shall be liable to a fine not exceeding level fourteen or to an imprisonment for a period not exceeding fifteen years or to both such fine and such imprisonment.

Innovation on security equipment

65. Every operator must consider the use of advanced security equipment, as approved by the Authority, when investing in new equipment, to achieve civil aviation security objectives.

Use of security screening equipment

66. (1) No operator shall use any security screening equipment to detect or prevent the introduction of weapons and prohibited items into security restricted areas and aircraft within Zimbabwe unless he or she has submitted an application for equipment approval to the Authority accompanied by— .

- (a) the equipment specifications; and
- (b) the appropriate fees specified set out in the First Schedule.

(2) Upon receipt of the equipment specifications in subsection (1), the Authority shall within 15 days—

- (a) review the equipment specifications as guided by the equipment performance and operating criteria set out in the National Civil Aviation Security Programme;
- (b) approve the application; or
- (c) reject the application for equipment specification approval.

(3) Every operator shall conduct testing for security equipment and maintain at least one copy of the results of the most recent test conducted and shall make it available for inspection upon request by the Authority.

(4) Every operator shall ensure that preventive and fault maintenance schedules are instituted to ensure that all security equipment is operating at optimum efficiency.

Security measures relating to landside areas

67. (1) Every operator of a security designated aerodrome must establish security measures in landside areas to mitigate the risk and to prevent possible acts of unlawful interference in accordance with national and local risk assessments carried out.

(2) The operator of a security designated aerodrome must coordinate and oversee the implementation of landside security measures between the relevant departments, agencies and other entities, in terms of the National Civil Aviation Security Programme.

PART X

AVIATION SECURITY TRAINING AND CERTIFICATION

Operator Aviation Security Training Programme

68. (1) Every operator of security designated aerodrome, air carrier or aircraft operator, air traffic service provider or organisation responsible for the implementation of various aspects of the National Civil Aviation Security Programme must develop, implement and maintain a written Operator Aviation Security Training Programme and the training programme must conform to the requirements of the National Civil Aviation Security Training Programme.

(2) Any person assigned responsibility for a specific function or task within the National Civil Aviation Security Programme shall undergo the initial, on-the-job, recurrent and specialised security training in accordance with the standard specified in the National Civil Aviation Security Training Programme.

(3) Any person who contravenes this section shall be guilty of an offence and shall be liable to a fine not exceeding level 6 or to imprisonment for a period not exceeding one year or to both such fine and such imprisonment.

Aviation security screener training and certification

69. (1) No person shall carry on, or supervise a person conducting, the duties of screening any passengers; cabin baggage and hold baggage; persons and vehicles accessing airport security restricted areas; cargo, mail and catering; company material; and company mail without certification and a valid screener's licence issued by the Authority.

(2) Recertification for any person performing any screening function, shall take place no less than every (24) months and shall include security vetting, competency testing / evaluation and elements of the initial certification.

(3) Any person who contravenes this section shall be guilty of an offence and shall be liable to a fine not exceeding level 3 or to imprisonment for a period not exceeding three months or to both such fine and such imprisonment.

Aviation security instructor training and certification

70. (1) No person shall conduct courses or training in aviation security subjects for persons implementing various functions under the National Civil Aviation Security Programme without undergoing the relevant training in the subject matter and certification by the Authority.

(2) Initial training for aviation security instructors shall be based on the International Civil Aviation Organisation Aviation Security Instructors Course.

(3) Any person who contravenes this section shall be guilty of an offence and shall be liable to a fine not exceeding level 6 or to imprisonment for a period not exceeding one year or to both such fine and such imprisonment.

Aviation security awareness training

71. Every operator must ensure that 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 receive initial and recurrent security awareness training.

Promoting security culture

72. Every operator involved with or responsible for the implementation of various aspects of the national civil aviation security programme must promote, develop and implement security culture.

PART XI

QUALITY CONTROL

National Civil Aviation Security Quality Control Programme

73. (1) The Authority shall implement and maintain a written National Civil Aviation Security Quality Control Programme, developed in section 44 A (1) (d) (iii), which meets the requirements provided for in the National Civil Aviation Security Programme and designed to—

- (a) monitor the implementation of aviation security measures by aerodrome and aircraft operators and other entities that perform security functions in compliance with these regulations and the National Civil Aviation Security Programme;
- (b) ensure the effectiveness of these regulations and the National Civil Aviation Security Programme;
- (c) identify any deficiencies and offer appropriate corrective actions; and
- (d) resolve security concerns.

(2) The National Civil Aviation Security Quality Control Programme shall contain all necessary quality control monitoring measures taken to assess on a regular basis the implementation of the National Civil Aviation Security Programme, including the policies on which they are based.

(3) Any person or entity assigned responsibility for a specific function or task within the National Civil Aviation Security Programme who fails to implement quality control measures to the standard specified

in the National Civil Aviation Security Quality Control Programme, shall be guilty of an offence and shall be liable to a fine not exceeding level fourteen or to an imprisonment for a period not exceeding fifteen years or to both such fine and such imprisonment.

Compliance monitoring

74. (1) The implementation of the National Civil Aviation Security Programme shall be monitored by staff members of the Authority or by any third party approved by the Authority to ensure compliance.

(2) Monitoring shall be undertaken in accordance with the approved National Civil Aviation Security Quality Control Programme taking into consideration the following—

- (a) threat level;
- (b) type and nature of the operation;
- (c) standard of implementation, and
- (d) any other factor and assessment which will demand for more frequent monitoring.

(3) The management, setting of priorities and organisation of the quality control programme shall be undertaken independently from the operational implementation of the measures taken under the National Civil Aviation Security Programme.

(4) The Authority may request in writing to any person who holds an approved aviation security programme to undergo or carry out such inspections and audits and such monitoring as the Authority considers necessary in the interests of civil aviation security.

(5) On request by the Authority, an operator shall provide evidence of compliance with his or her approved operator security programme.

Power of investigation

75. (1) The Authority may investigate any holder of an approved security programme if it believes that it is necessary in the interests of civil aviation security, and if the Authority—

- (a) has reasonable grounds to believe that the holder has failed to comply with any conditions of a security programme; or
- (b) considers that the privileges or duties for which the security programme has been approved are being carried out by the holder in a careless or incompetent manner.

(2) If the Authority conducts an investigation in terms of subsection (1), the Authority shall—

- (a) conclude the investigation as soon as practicable, but not later than 21 working days; and
- (b) inform the holder, in writing, of the results of the investigation, including any recommendations arising out of the investigation.

Power to suspend security programme

76. The Authority may suspend any security programme approved under these regulations or impose conditions in respect of any such security programme if the Authority considers such action necessary in the interests of security, and if the Authority—

- (a) considers such action necessary to ensure compliance with these regulations and the security programme;
- (b) is satisfied that the holder has failed to comply with any conditions of a security programme; or
- (c) considers that the privileges or duties for which the security programme has been approved are being carried out by the holder in a careless or incompetent manner.

General power of entry for aviation security inspectors

77. (1) Every person duly authorised by the Authority as an aviation security inspector shall have right of access at any reasonable time to—

- (a) an aircraft, aerodrome, building or place; and
- (b) any document or record concerning any aircraft, aeronautical product or aviation related service.
- (c) inspect and test the effectiveness of security measures and procedures and performance of security equipment

- (d) take into an airport, airside area or any designated security restricted area and use, any equipment necessary to carry out his or her duties, including radios, cameras, recording devices (both audio and video) and specially authorised restricted or prohibited articles, such as replica weapons or simulated explosive devices;
- (e) issue notices of deficiencies or recommendations, as appropriate;
- (f) enforce corrective actions, including immediate rectification of any deficiencies or apply enforcement measures; and
- (g) enforce all relevant national aviation security requirements.

(2) Notwithstanding subsection (1), every person duly authorised by the Authority who has reasonable grounds to believe that—

- (a) any breach of these regulations is being or about to be committed;
- (b) a condition imposed under any civil aviation security programme is not being complied with; or
- (c) a situation exists within the civil aviation system or is about to exist that constitutes a danger to persons or property:

may at any reasonable time enter an aircraft, aerodrome, building or place and carry out an inspection to determine whether or not a matter referred to in paragraphs (a) and (b) exists.

(3) Every person who is authorised to have access to or to enter an aircraft, aerodrome, building or restricted area—

- (a) may request the operator to produce any certificate, book, manual, record, list, notice, or other document that is required to be kept under these regulations; and
- (b) may, if a document is surrendered under paragraph (a), inform the relevant aviation document holders orally, as soon as practicable, and in writing that the document has been surrendered.

(4) Every person exercising the power of entry in terms of subsections (1) and (2) shall carry a proof of identity and authority issued by the Authority specifying—

- (a) the name and the office or offices held by the person; and
- (b) that the person is authorised by the Authority to exercise the power in terms of subsection (1) or (2) to enter aircraft, aerodromes, buildings and off airport facilities, and to carry out such inspection.

(5) Every person exercising the power of entry shall produce the warrant of authority and particulars of identity—

- (a) if practicable on first entering the aircraft, aerodrome, building or off airport facilities; and
- (b) whenever subsequently reasonably required to do so.

(6) Any person who obstructs, insults, intimidates or performs any act of violence against an aviation security inspector, while that officer is on duty, shall be guilty of an offence and liable to a fine not exceeding level five or to an imprisonment for a period not exceeding three months or to both such fine and such imprisonment.

Notification of audits

78. (1) The Authority shall give a notice to the operator or service provider that is the subject of a security audit.

(2) When giving notice in terms of subsection (1), the Authority shall communicate a pre-audit questionnaire, for completion by the facility operator or service provider and a request for the following security documents—

- (a) the approved facility or service provider security programme;
- (b) records and results of any internal quality assurance audits undertaken;
- (c) results of any investigation conducted into security incidents since the date of the last audit; and
- (d) results of previous audits or inspections carried out by the Authority's designated auditors.

(3) The completed questionnaire and the documents requested shall be submitted to the Authority within fourteen days of receipt of the audit notification.

Conduct of inspections and audits

79. (1) A standard methodology shall be used to monitor compliance with the requirements laid down in the National Civil Aviation Security Programme and relevant operator security programme.

(2) An operator shall ensure that an auditor or inspector from the Authority is accompanied at all times during the inspection or audit.

(3) An auditor or inspector from the Authority shall carry an identity card authorising inspection and audit on behalf of the Authority and an airport identification card allowing access to all areas required for inspection and audit purposes.

(4) An auditor or inspector shall only perform a test after authorisation by the Authority.

Quality control reports

80. (1) Within twenty one days of completion of a quality control activity, the Authority shall communicate their findings and recommendations for remedial action to the relevant operator.

(2) Within fifteen days of the date of receipt of a quality control report, the relevant operator shall submit to the Authority a response the format prescribed in Form A.S. 7 in Schedule 2 which—

- (a) addresses the findings and recommendations; and
- (b) provides an action plan, specifying actions and deadlines, to remedy any identified deficiencies.

(3) Where the quality control report identifies no deficiencies, no response shall be required.

Internal quality control measures

81. (1) An aerodrome operator, aircraft operator, regulated agent, flight catering operator, aviation service provider, or organisation responsible for the implementation of various aspects of the National Civil Aviation Security Programme shall develop, implement and maintain a written internal quality control programme or procedures that conform to the National Civil Aviation Security Programme and the National Civil Aviation Security Quality Control Programme.

(2) The operator in subsection (1) must ensure that the internal quality control officer employed by him or her—

- (a) is authorised by the Authority to carry out quality control activities consistent with his or her operations;
- (b) is skilled to perform quality control measures and have good working knowledge of the security processes and associated regulations;
- (c) helps in resolution of security concerns;
- (d) provides the Authority with related findings and details of any corrective action plans that have been implemented;
- (e) conducts security duties in accordance with these regulations;
- (f) abstains from indecorous behaviour; and
- (g) remains independent from aviation security related operations.

(3) The operator in subsection (1) must provide the Authority with an annual schedule of the internal quality control activities at the beginning of each calendar year, to allow the Authority to carry security oversight as may be required.

PART XII

MEASURES RELATING TO CYBER THREATS

Identification of critical information

82. (1) In this Part—

“Cyber security” means the protection of information systems (hardware, software and associated infrastructure), the data on them, and the services they provide, from unauthorised access, harm or misuse;

“critical information” means sensitive or privacy data or assets or its operation is indispensable for the safe and secure operation and availability of aviation activities and includes.

(2) Operators, maintenance, repair and overhaul service providers, 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.

(3) Critical data and information systems software and hardware used in aviation operations, shall include, but are not limited to—

- (a) systems and data identified as critical from an aviation safety perspective, such as—
 - (i) air traffic management systems;
 - (ii) departure control systems;
 - (iii) communication, navigation and other safety-critical systems of an aircraft; and
 - (iv) aircraft command, control and dispatch systems;
- (b) systems and data identified as critical from an aviation security perspective, such as—
 - (i) regulated agent and known consignor databases;
 - (ii) access control and alarm monitoring systems;
 - (iii) closed-circuit television surveillance systems;
 - (iv) passenger and baggage reconciliation systems; and
 - (v) screening systems and explosive detection systems, whether networked or operating in a stand-alone configuration;
 - (vi) airport and regulatory databases;
- (c) systems and data identified as critical from an aviation facilitation perspective, such as:
 - (i) aircraft operator reservation and passenger check-in systems;
 - (ii) flight information display systems;
 - (iii) baggage handling and monitoring systems; and
 - (iv) border crossing and customs systems.

Risk assessment

83. The Authority shall as part of a risk assessment and management process—

- (a) ensure the protection of critical aviation information and communication technology systems and data; and
- (b) work with operators to conduct continuous vulnerability and interdependency assessments of their critical aviation systems; and
- (c) establish measures to mitigate potential cyber-attacks; and
- (d) verify the implementation of such measures as part of their regular compliance monitoring activities.

Protection of critical information

84. (1) Operators shall apply security—

- (a) considerations throughout the life cycle of aviation information and communication technology systems, from design and development through operation and maintenance, continuing through the safe and secure disposal of hardware and software;
- (b) to modifications, revisions, updates and upgrades to existing systems.

(2) Data referred to in subsection (1) must follow data governance policies which prescribe the level of necessary security based on data classification, as well as the appropriate retention periods and disposal methods.

(3) The protection of systems referred to in subsection (1) must meet the goals of confidentiality, integrity and availability, and are as robust as possible against cyber-attacks.

(4) Every operator shall—

- (a) ensure that the responsibility for securing critical information systems is allocated to properly selected, recruited and trained staff;
- (b) establish clear training guidelines for all personnel using, handling, installing, and performing maintenance on critical information systems, as well as for identified air crew and systems, and for aircraft maintenance personnel;
- (c) give due regard to cyber security matters in the procurement of new aviation information and communication technology systems and data.

Detection of and response to cyber attacks

85. (1) Every Operator shall in accordance with the National Civil Aviation Security Programme—
- (a) establish awareness programmes and reporting mechanisms for end users and stakeholders to report suspicious activities, anomalies, and other pertinent information that may indicate that an attack is underway or has occurred;
 - (b) establish a cybersecurity response plan which outlines an organisational approach to addressing a cyber-attack, including those actions to be carried out by the technology, legal, maintenance, public relations and other organisational entities involved in the process of mitigating and counteracting a cyber-attack.
- (2) Where a cyber-attack has been detected or reported, the operator shall—
- (a) analyse the cause and nature of cyber-attack;
 - (b) prioritise the actions that can be taken to react to the cyber-attack;
 - (c) mitigate the effects of the cyber-attack to the extent possible;
 - (d) restore systems to their normal state as quickly as possible and if the root cause cannot be isolated, ensure that systems remain shut down and isolated until a cause can be determined to prevent further infection of other systems.
- (3) The operator shall cause full details of the incident to be recorded and stored in a secure environment for further in-depth and trend analysis.
- (4) Findings, conclusions and recommendations should be made available to all aviation industry partners through pre-established information exchange platforms and mechanisms.
- (5) Operators must immediately report cyber-attacks and potential threats to the Authority.

PART XIII

MANAGEMENT AND RESPONSE TO ACTS OF UNLAWFUL INTERFERENCE

Prevention of acts of unlawful interference

86. (1) The operator of a security designated aerodrome must take adequate measures, in accordance with the National Civil Aviation Security Programme, when reliable information exists that an aircraft may be subjected to an act of unlawful interference—
- (a) to safeguard the aircraft if it is still on the ground; or
 - (b) if the aircraft is in flight, 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.
- (2) The operator of a security designated aerodrome must develop contingency plans and make resources available to safeguard civil aviation against acts of unlawful interference.
- (3) The operator of a security designated aerodrome, in consultation with relevant agencies, must ensure that authorised and suitably trained personnel are readily available for deployment at its airport serving civil aviation to assist in dealing with suspected or actual cases of unlawful interference with civil aviation.
- (4) Every operator of a security designated aerodrome must establish—
- (a) a bomb disposal area where detected explosives may be disposed of;
 - (b) an isolated parking area for aircraft that has been subjected to an act of unlawful interference or a bomb threat
 - (c) an Emergency Operations Centre.

Authority responsibilities in response to specific threat or acts of unlawful interference

87. The Authority must—
- (a) take appropriate measures, in accordance with the National Civil Aviation Security Programme, for the safety of passengers and crew members of an aircraft, which is subjected to an act of unlawful interference, while on the ground in Zimbabwe, until their journey can be continued;
 - (b) collect all pertinent information on the flight of that aircraft through the air navigation services provider 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;

- (c) 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;
- (d) ensure that an aircraft subjected to an act of unlawful seizure which has landed in the territory of Zimbabwe is detained on the ground, unless its departure is necessitated by the overriding duty to protect human life;
- (e) notify by the most expeditious means the State of registry of the aircraft, and the State of the air carrier or aircraft operator, of the landing and must similarly transmit by the most expeditious means all other relevant information to—
 - (i) the two States concerned;
 - (ii) each State whose citizens suffered fatalities or injuries;
 - (iii) each State whose citizens were detained as hostages;
 - (iv) each State whose citizens are known to be on board the aircraft; and
 - (v) the International Civil Aviation Organisation.

Aerodrome operator responsibilities in response to specific threats or acts of unlawful interference at an aerodrome

88. (1) Where an aerodrome operator determines that a specific threat that jeopardises the security of his or her aerodrome exists, he or she shall immediately take all of the necessary measures to ensure the safety and security of the aerodrome and persons at the aerodrome, including informing the Authority of the nature of the threat.

(2) An aerodrome operator who becomes aware of a threat against an airport facility or any part of his or her aerodrome, or tenant restricted area that is under the control of a person carrying on any activity at or connected with his or her aerodrome, other than the aerodrome operator, shall immediately—

- (a) notify the person in control of that facility or tenant restricted area of the nature of the threat; and
- (b) determine whether there is a specific threat that jeopardises the security of the aerodrome.

(3) Where a person authorised to conduct any screening activity at an aerodrome becomes aware of a threat or acts of unlawful interference against the aerodrome, such person shall—

- (a) immediately notify the aerodrome coordinator and aerodrome operator of the nature of the threat; and
- (b) assist the aerodrome operator in determining whether there is a specific threat that jeopardises the security of the aerodrome.

Discovery of weapons, incendiary devices or explosives at aerodromes

89. (1) An aerodrome operator shall immediately notify the Authority where he or she, at the aerodrome—

- (a) discovers an unauthorised weapon;
- (b) discovers an explosive substance or an incendiary device; or
- (c) encounters an explosion, unless the explosion is known to be the result of an excavation, a demolition, construction or the use of fireworks displays.

(2) The operator of a security designated aerodrome, in consultation with relevant agencies, must investigate, render safe and dispose of, if necessary, suspected dangerous devices or other potential hazards at an airport in accordance with the procedure provided for in the National Civil Aviation Security Programme or the relevant security programme.

Aerodrome operator to keep maps and plans of aerodrome

90. An aerodrome operator shall keep at the aerodrome a certified copy of a current scale map or plan, certified by the Authority, of the aerodrome and buildings located at that aerodrome, that identifies the restricted areas, enhanced security restricted areas and sterile areas, security barriers and restricted area access points, enhanced security restricted area access points, and sterile area access points.

Aerodrome operator to provide information

91. An aerodrome operator shall, upon request from the Authority, submit written or electronic records or other information relevant to the security of the aerodrome.

Prevention and management of hijackings and sabotage attempts

92. (1) An aircraft operator shall—

- (a) assign an appropriately qualified and trained person as a security coordinator to coordinate security duties specified in his or her approved aircraft operator security programme; and
- (b) designate the pilot in command as the in-flight security coordinator for each flight, as required by his or her approved aircraft operator security programme to co-ordinate activities in response to threats of acts of unlawful interference.

(2) An aircraft operator shall, where approved by the Authority, permit and facilitate the carriage of in-flight security officers on specific flights to prevent—

- (a) unauthorised persons from gaining access to the flight deck; or
- (b) hijackings and other criminal acts on board the aircraft.

(3) In-flight security officers required to be on board a flight, shall—

- (a) be a selected government personnel; and
- (b) be trained on safety and security aspects on board an aircraft; and
- (c) be deployed according to the threat assessment of the competent authority; and
- (d) conduct a crew briefing prior to departure to ensure the flight crew and cabin crew understand his or her role on board the aircraft.

(4) The deployment of in-flight security officers shall be coordinated with concerned States and kept strictly confidential.

Security threats and procedures

93. (1) Where an aircraft operator determines that there is a specific threat which jeopardises the security of an aircraft or flight, he or she shall immediately take all of the measures necessary to ensure the safety of the aircraft, passengers and crew on board such aircraft, including—

- (a) informing the pilot in command, the crew members assigned to the aircraft or flight, the aerodrome operator and the Authority of the nature of the threat;
- (b) where the aircraft is on the ground, moving such aircraft to a place of safety at the aerodrome according to the directions of the aerodrome operator; or
- (c) the inspection of the aircraft and search of the passengers and goods on board such aircraft, unless the inspection and search are likely to jeopardise the safety of the passengers and crew members.

(2) Where the aircraft is on the ground, the pilot in command shall comply with any direction given by the aerodrome operator, unless complying with such direction is likely to jeopardise the safety of the passengers and crew members.

(3) Immediately upon receiving information that an act or suspected act of unlawful interference has been committed, the aircraft operator shall notify the Authority.

(4) Where an aircraft operator determines that there is a specific threat which jeopardises the security of a facility, a tenant restricted area, or part of an aerodrome under his or her control, he or she shall immediately take necessary measures to ensure the safety of the facility, tenant restricted area or part of the aerodrome and persons at the facility, including informing the aerodrome operator of such threat.

(5) Where an aircraft is in the airspace under the jurisdiction of a State other than Zimbabwe, the aircraft operator shall also notify the appropriate authority of the State in whose territory the aircraft is located and, if the aircraft is in flight, the appropriate authority of the State in whose territory the aircraft is to land.

(6) Upon receipt of a bomb threat against a specific aircraft, each aircraft operator shall attempt to determine whether or not any explosive or incendiary device is aboard the aircraft involved by doing the following—

- (a) conduct an analysis of the threat and classify the threat as hoax, non-specific or specific; or
- (b) in case of a non-specific or specific threat, consider conducting a security inspection on the ground before the next flight or, where the aircraft is in flight, immediately after its next landing; or

- (c) where the aircraft is on the ground, advising the pilot in command of the results of the analysis and the proposed action to be taken; or
- (d) where the aircraft is in flight, immediately advising the pilot in command of all pertinent information available so that necessary emergency action can be taken.

(7) Where the aircraft is in flight, ensure the pilot-in-command notifies the appropriate air traffic control authority of the threat.

Reporting of acts of unlawful interference

94. (1) An aircraft operator shall immediately notify the Authority where there is—

- (a) a hijacking or attempted hijacking of an aircraft;
- (b) a discovery, on board an aircraft, of an unauthorised weapon;
- (c) a discovery, on board an aircraft, of an explosive substance or an incendiary device;
- (d) an explosion in an aircraft; or
- (e) a specific threat against an aircraft, a flight or a facility or part of an aerodrome under his or her control.

(2) An aircraft operator shall immediately notify the aerodrome operator when an unauthorised weapon is detected in any part of the aerodrome under his or her control.

Persons authorised to conduct screening duties

95. (1) A person authorised to conduct screening activities shall immediately notify the appropriate aircraft operator, aerodrome operator and the Authority when any of the following is detected at a restricted area access point where screening is conducted—

- (a) an unauthorised weapon;
- (b) an explosive substance; or
- (c) an incendiary device.

(2) A person authorised to conduct screening activities shall immediately notify the appropriate aircraft operator, aerodrome operator and the Authority when any of the following is detected in checked baggage—

- (a) a firearm; or
- (b) an explosive substance; or
- (c) an incendiary device.

Security Information

96. (1) In this section—

“facility” means an aerodrome, tenant, aircraft, regulated agent or known consignor premises.

(2) An aircraft operator shall upon request from the Authority provide information relevant to the security of his or her operations, including—

- (a) information concerning the method of implementing the security measures that apply to the aircraft operator; and
- (b) a description of the nature of operations related to a particular flight; and
- (c) the services provided in respect of the flight.

(3) No person shall divulge documented information in respect of security measures in effect at a facility without the permission of the operator.

(4) Any person who contravenes this section shall be guilty of an offence and liable to a fine not exceeding level 14 or to an imprisonment for a period not exceeding fifteen years or to both such fine and such imprisonment.

False statements, entries or unauthorised reproduction

97. An operator shall not make, or cause to be made, any of the following—

- (a) a fraudulent or intentionally false statement in his or her security programme or an application for any security programme ;

- (b) a fraudulent or intentionally false entry in any record or report that is kept, made or used to show compliance with his or her security programme; and
- (c) a reproduction or alteration of any report, record, security programme without the approval of the Authority.

Provision of information to the Authority on the security of operations by service providers

98. Any person who provide services to an aircraft operator and any person who provides a service related to the transportation of goods by air, shall provide to the Authority with information relevant to the security of his or her operations, including—

- (a) information concerning the method of implementing the security measures contained in his or her security programmes; and
- (b) a description of the nature of the operations related to a particular flight and the services provided in respect of the flight.

Carriage of passengers under administrative or judicial control

99. (1) An aircraft operator, when required to carry a passenger who is the subject of judicial or administrative proceedings, shall only do so once appropriate security controls have been applied to the passenger in question, including notification to the pilot-in-command.

(2) An aircraft operator shall ensure that prior to departure—

- (a) the aircraft is equipped with adequate restraining devices to be used in the event restraint of any passenger becomes necessary;
- (b) a passenger travelling in terms of subsection (1) has been searched and does not have on or about his or her person or property anything that can be used as a weapon; and
- (c) a passenger travelling in terms of subsection (1), whether under the control of an escort officer, or not, is—
 - (i) boarded before any other passengers when boarding at the aerodrome from which the flight originates and deplaned at the destination after all other deplaning passengers have deplaned;
 - (ii) seated in the rear-most passenger seat when boarding at the aerodrome from which the flight originates; and
 - (iii) seated in a seat that is not located close to or directly across from any exit.

(3) An aircraft operator shall not—

- (a) serve beverages or food in eating utensils made of metal to a passenger under such judicial or administrative proceedings while on board such aircraft; and
- (b) serve an escort officer, or the passenger under the control of the escort officer, any alcoholic beverages while on board such aircraft.

(4) In cases where there is need for an escort officer to accompany a person under judicial or administrative proceedings, the escort officer shall be qualified for the task to the satisfaction of the operator and pilot in command and he or she shall, at all times, accompany the passenger under his or her control and keep the passenger under surveillance while on board the aircraft including visits to the lavatory.

(5) Any person who wishes to carry a person by air under judicial or administrative proceedings, shall notify the operator of the air transport service the name of the person under such judicial or administrative proceedings seven days before the intended flight and the operator shall notify the pilot-in-command of the name of the person in custody prior to the departure of the flight.

(6) The maximum number of persons under judicial or administrative proceedings accompanied by escorts that may be carried in an aircraft shall not exceed two persons.

(7) An operator or pilot-in-command shall not be compelled to carry a person under judicial or administrative proceedings and may impose such additional restrictions as he or she considers necessary.

Disruptive and unruly passengers

100. (1) In this section—

“disruptive and unruly passenger” means 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.

(2) Disruptive and unruly conduct includes, but is not limited to the following—

- (a) smoking on board an aircraft or in a non-smoking area of the terminal building;
- (b) use of mobile phones or other communication or electronic gadgets on board an aircraft without the approval of the aircraft commander;
- (c) fighting or other disorderly conduct on board an aircraft or at the terminal building;
- (d) being a nuisance to other passengers;
- (e) disobedience of lawful instructions issued by the aircraft commander, flight crew, cabin attendants, check-in staff or security screening staff;
- (f) any conduct that endangers or is likely to endanger the safety of flight operations;
- (g) tampering with smoke detectors and other aircraft equipment.

(3) Where any passenger becomes disruptive and unruly on board an aircraft or at the terminal building, the aircraft commander or aerodrome operator shall take necessary measures including restraint where necessary—

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

(4) Any passenger who becomes disruptive and unruly at the airport terminal or on board an aircraft commits an offence and shall be liable to a fine not exceeding level 14 or to imprisonment for a period not exceeding ten years or both such fine and such imprisonment.

Carriage of other persons

101. The following classes of persons may be carried by air without an escort—

- (a) children above the age of five years;
- (b) deportees under the control of, but not being physically restrained by the Department of Immigration;
- (c) service personnel of the Defence Forces who have been absent without leave and who have voluntarily surrendered themselves and are being returned to their unit:

Provided that the operator is furnished with a written statement from the responsible government, person or authority stating that an escort is not necessary.

Passenger restraining equipment

102. (1) An aircraft engaged in public transport and carrying a crew of more than one person shall be equipped with adequate passenger restraining devices.

(2) The restraining equipment referred to in subsection (1) shall be carried in an aircraft in a position readily accessible to crew members but concealed from other persons.

(3) These regulations shall not apply to the carriage of passengers under voluntary protective escort.

PART XIV

MISCELLANEOUS

Protection of sensitive aviation security information.

103. (1) For the purpose of these regulations the following information and records containing such information constitute sensitive aviation security information—

- (a) an approved security programme for an operator;
- (b) any security programme that relates to transportation by air and any comments, instructions or implementing guidance pertaining thereto;
- (c) security directives, information circulars and any comments, instructions or implementing guidance pertaining thereto;

- (d) any profiling system used in any security screening process, including for persons, baggage or cargo;
- (e) any security contingency plan or information and any comments, instructions, or implementing guidance pertaining thereto;
- (f) technical specifications of any device used for the detection of any deadly or dangerous weapon, explosive, incendiary or destructive substance;
- (g) a description of, or technical specifications of, objects used to test screening equipment;
- (h) communication procedures and technical specifications of any security communication equipment;
- (i) any information that the Authority has determined may reveal a systemic vulnerability of the aviation system or a vulnerability of aviation facilities to attack;
- (j) information concerning threats and risks against civil aviation released by the Authority;
- (k) specific details of aviation security measures whether applied directly by the Authority or regulated parties and includes, but is not limited to, information concerning specific numbers of aviation security officers and aviation security screening officers, deployments or missions, and the methods involved in such operations;
- (l) any draft, proposed or recommended change to the information and records identified in these regulations; and
- (m) any other information, the disclosure of which the Authority has prohibited;

(2) Access to national and other aviation security related programmes and documents, as defined by the Authority, shall be restricted to those persons who require such information in the performance of their duties.

(3) The degree of protection of information shall be specified by either the originator of the information or other responsible authority.

Exchange of information and reporting

104. (1) The exchange of information and reporting must be done in accordance with the procedure provided for in the National Civil Aviation Security Programme.

(2) Every aircraft carrier or aircraft operator must, where an act of unlawful interference occurs, immediately notify the Authority.

(3) Every pilot-in-command and air navigation service provider must submit to the Authority—

- (a) a preliminary written report, within 15 days after the occurrence of an act of unlawful interference, including sabotage, threats, hijacks, incidents and disruptive passengers; and
- (b) a final written report, upon completion of investigations, but within 30 days after the occurrence of an act of unlawful interference, including sabotage, threats, hijacks, incidents and disruptive passengers.

(4) The Authority must, where an act of unlawful interference has occurred, provide the International Civil Aviation Organisation with a report on each incident, whether successful or unsuccessful as follows—

- (a) a preliminary report, within 30 days after the occurrence of the act, containing all pertinent information concerning the security aspects of the occurrence; and
- (b) a final report, within 60 days after resolution of the incident.

(5) The Authority must provide copies of reports submitted to the International Civil Aviation Organisation under this regulation and to—

- (a) the State of registry of the aircraft and the State of the operator;
- (b) each State whose citizens suffered fatalities or injuries;
- (c) each State whose citizens are, or were, detained as hostages; and
- (d) each State whose citizens are, or were, known to be on board the aircraft.

(6) The Authority shall share with other Contracting States, in a timely manner, threat information that applies to the aviation interests of those States, to the extent practicable.

(7) The Authority shall notify the International Civil Aviation Organisation of information shared in terms of subsection (6).

Issue of security directives

105. (1) The Authority may, for the purpose of implementation of any of the security programmes required under these regulations, issue a security directive to any persons referred to in subsection (2), requiring him or her to take such measures as are specified in the directive.

(2) The security directives referred to in subsection (1) may be issued to—

- (a) an aerodrome operator;
- (b) the manager of an aerodrome other than an aerodrome which is principally used by aircraft in military service;
- (c) any operator of an aircraft registered or operating in Zimbabwe;
- (d) any person who occupies any land forming part of an aerodrome;
- (e) any person who is permitted to have access to a restricted area in an aerodrome for the purposes of the activities of a business carried on by him or her;
- (f) any person who manages navigational or other aviation related facilities that are important to the continued operation of international civil aviation; and
- (g) any person who carries on a business which—
 - (i) involves handling of any article intended to be carried into an aerodrome for any purpose;
 - (ii) involves provision of service by personnel who have access to a restricted area; or
 - (iii) in the opinion of the Authority, otherwise impinges on the security of an aerodrome.

(3) The Authority may, by a security directive—

- (a) revoke wholly or partly any security directive issued previously; or
- (b) modify any security directive issued previously in such manner as the Authority deems necessary.

Objection to security directives

106. (1) Any person to whom a security directive is issued may serve to the Authority a notice in writing objecting to the directive, on the grounds that the measures specified in the directive are—

- (a) unnecessary and should be dispensed with; or
- (b) excessively onerous or inconvenient and should be modified.

(2) The Authority shall, upon receipt of a notice referred to in subsection (1), consider the grounds of the objection and, if so requested by the objector, afford him or her an opportunity to make representations.

(3) Subject to subsection (2), the Authority may—

- (a) confirm the directive as originally issued;
- (b) confirm the directive subject to any modifications; or
- (c) withdraw the directive.

Security contingency plans

107. (1) Every operator of a security designated aerodrome shall—

- (a) develop a security contingency plan and make resources available for their implementation against acts of unlawful interference;
- (b) carry a full contingency exercise every two years to test the security contingency plans;
- (c) carry partial emergency exercises in the intervening years to ensure that any deficiencies found during the full-scale exercises have been corrected.

(2) Operators, government departments, State security agencies and other private players involved in decision-making processes during security contingency planning shall participate in exercises to practise the management of response to acts of unlawful interference.

Requirements for approvals, authorisations and certificates

108. (1) The Authority may grant an approval to an applicant who satisfactorily accomplishes the requirements stated in the National Civil Aviation Security Programme for the following—

- (a) aviation security service provider;
- (b) aviation security training provider.

(2) The Authority may grant an approval to applicants who satisfactorily accomplish the requirements stated in the National Civil Aviation Security Training Programme for the following—

- (a) aviation security instructors authorisation;
- (b) aviation security national inspectors authorisation;
- (c) aviation security officer screening authorisation;

and may be issued with certificates of competency.

(3) Subject to subsections (1) and (2) the Authority may renew an approval, authorisation or certificate where the applicant complies with the requirements of the National Civil Aviation Security Programme or National Civil Aviation Security Training Programme.

(4) The holder of an approval, authorisation or certificate shall not exercise privileges other than those granted by the approval, authorisation and certificate.

(5) The privileges granted by an approval, authorisation or certificate may not be exercised unless the holder maintains competency and meets the requirements for recent experience as stipulated in the National Civil Aviation Security Training Programme or National Civil Aviation Security Training Programme.

(6) The validity period of an approval, authorisation or certificate is two years.

PART XV

GENERAL

Wheel-clamping and towing away of vehicles

109. (1) In this section—

“authorised person” means an aviation security officer or any other person whose duties involve the regulation of public vehicle parking at security designated aerodromes.

“tow away” means the removal by an authorised person of a vehicle parked or stationary in violation of these regulations to a secure compound;

“wheel clamp” means a device used to immobilise a vehicle parked or stationary in contravention of these regulations.

(2) An authorised person may, if he or she has reason to believe that a vehicle poses a threat to the security of an aerodrome or that a violation of these regulations has been committed, immobilise or cause such vehicle to be immobilised by way of a wheel-clamp.

(3) Any person responsible for the vehicle immobilised in terms of subsection (2) shall pay an appropriate fee set out in the First Schedule before such a vehicle can be released.

(4) An authorised person may remove or cause to be removed any vehicle immobilised in terms of these regulations to a secure compound.

(5) Risk in any vehicle removed to a secured compound in terms of these regulations shall remain with the owner unless where there is gross negligence.

(6) A vehicle removed to a secured compound shall be released on payment by the owner of such motor vehicle of the charges specified by the operator from time to time.

Unclaimed vehicles

110. (1) Every operator shall publish in the *Gazette* a list of vehicles immobilised and advise the owners to claim the vehicles within a period of thirty days of the publication of the notice.

(2) The operators shall implement a system which promotes transparency and accountability for the disposal of any vehicle that remains unclaimed thirty days after a notice has been published.

(3) The Authority shall deduct the charges specified in the First Schedule from the proceeds of the sale of the vehicle and any balance shall be paid to the owner within thirty days from the date on which the owner submits to the Authority a written request for such payment.

Additional offences

111. Any person who—

- (a) enters a restricted area without the permission of the Authority; or

- (b) obtains an identification card or a vehicle pass through fraudulent means; or
- (c) wears or displays another person's identification card; or
- (d) reproduces or forges an identification card or a vehicle pass issued in terms of section 45; or
- (e) whilst in possession of a valid airport identification, accompanies, aids or facilitates anyone without a valid airport identification card to gain access into a security restricted area; or
- (f) remains in a restricted area when ordered to leave by a civil aviation security officer, whether or not such person holds an identification card or a vehicle pass; or
- (g) uses an aircraft as a weapon to endanger the safety of passengers, property or any other persons; or
- (h) causes or endangers the safety and security of civil aviation; or
- (i) organises or directs, others to commit an offence against civil aviation; or
- (j) commits an act of violence using any device, substance or weapon against a person at an airport serving international civil aviation, which causes or is likely to cause serious injury or death, if such an act endangers or is likely to endanger safety at that airport; or
- (k) causes destruction of, or serious damage to the facilities of an airport serving international civil aviation, or disruption of the services of the airport, if such an act endangers or is likely to endanger safety at that airport; or
- (l) by placing or causing to be placed on an aircraft in service, by any means whatsoever, a device or substance which is likely to destroy that aircraft, or to cause damage to it that renders it incapable of flight or that is likely to endanger its safety in flight; or
- (m) causes destruction or damage to air navigation facilities or interference with their operation, if such an act is likely to endanger the safety of aircraft in flight;

shall be guilty of an offence and shall be liable to a fine not exceeding level 14 or to an imprisonment for a period not exceeding fifteen years or to both such fine and such imprisonment.

Civil penalty, service and enforcement

112. (1) Where default is made in complying with any provision of these regulations for which a civil penalty is leviable, the Authority may, in addition to, and without derogating from, any criminal or non-criminal penalty that may be imposed by these regulations, or any other law for the conduct constituting the default, serve upon the defaulter a civil penalty order.

(2) A civil penalty order referred to in subsection (1) may provide for a combination of a fixed penalty and a cumulative penalty for a specified continuing default where the time of compliance is of the essence—

- (a) both of which penalties must be suspended conditionally upon the defaulter taking the remedial action specified in the civil penalty order within the time specified in the order;
- (b) which, upon the civil penalty becoming operative because of non-compliance with the requested remedial action, shall provide—
 - (i) a fixed penalty of the maximum amount for level 10 for not meeting the specified deadline; and
 - (ii) a cumulative penalty of the maximum amount of level 3 for each day, not exceeding ninety days, for which the defaulter fails to pay the amount specified in subparagraph (i).

(3) References to the Authority serving upon a defaulter any civil penalty order in terms of these regulations, is to be interpreted as requiring the Authority to deliver such order (or such notice) in writing to the defaulter (or alleged defaulter) concerned in any of the following ways—

- (a) by registered post addressed to the defaulter's (or alleged defaulter's) principal office in Zimbabwe or other place of business of the defaulter (or alleged defaulter); or
- (b) by hand delivery to the director, manager or any other senior officer of the defaulter (or alleged defaulter) in person (or through an inspector or other person employed in the Office, or a police officer), or to a responsible individual at the place of business of the defaulter; or
- (c) by delivery through a commercial courier service to the defaulter's (or alleged defaulter's) principal office in Zimbabwe or other place of business of the defaulter (or alleged defaulter); or
- (d) by electronic mail or tele facsimile at the electronic mail or tele facsimile address furnished by the defaulter (or alleged defaulter) to the Registrar:

Provided that in this case a copy of the order or notice shall also be sent to the electronic mail or tele facsimile address of the defaulter's (or alleged defaulter's) legal practitioner in Zimbabwe.

(4) The Authority shall not extend the period specified in a civil penalty order for compliance therewith except upon good cause shown to him or her by the defaulter, and any extension of time so granted shall be recorded by the Authority.

(5) The Authority may cite two or more defaults relating to different provisions of these regulations if the defaults in question —

- (a) occurred concurrently or within a period not exceeding six months from the first default or defaults to the last default or defaults; or
- (b) arose in connection with the same set of facts.

(6) Where in these regulations the same acts or omissions are liable to both criminal and civil penalty proceedings, the Authority may serve a civil penalty order at any time before the commencement of the criminal proceedings in relation to that default, that is to say at any time before—

- (a) summons is issued to the accused person for the prosecution of the offence; or
- (b) a statement of the charge is lodged with the clerk of the magistrates court before which the accused is to be tried, where the offence is to be tried summarily; or
- (c) an indictment has been served upon the accused person, where the person is to be tried before the High Court;

as the case may be, but may not serve any civil penalty order after the commencement of the criminal proceedings until after those proceedings are concluded (the criminal proceedings are deemed for this purpose to be concluded even if they are appealed or taken on review). (For the avoidance of doubt it is declared that the acquittal of an alleged defaulter in criminal proceedings does not excuse the defaulter from liability for civil penalty proceedings).

(7) Upon the expiry of the ninety day period within which any civil penalty order of any category must be paid, the defaulter shall be guilty of an offence and liable to a fine not exceeding level 6 or to imprisonment for a period not exceeding one year or to both such fine and such imprisonment.

(8) The amount of any civil penalty shall—

- (a) be payable to the Authority; and
- (b) be a debt due to the Authority and shall be sued for in any proceedings in the name of the Authority in any court of competent civil jurisdiction.

(9) If the Authority in terms of subsection (8) (b) desires to institute proceedings to recover the amounts of two or more civil penalties in any court of competent civil jurisdiction, he or she may, after notice to all interested parties, bring a single action in relation to the recovery of those penalties if the orders relating to those penalties —

- (a) were all served within the period of twelve months preceding the institution of the proceedings; and
- (b) were served on two or more companies or private business corporations whose registered offices are in the same area of jurisdiction of the court before which the proceedings are instituted.

(10) Unless the Authority has earlier recovered in civil court the amount outstanding under a civil penalty order, a court convicting a person of an offence against subsection (8), may on its own motion or on the application of the prosecutor and in addition to any penalty which it may impose give summary judgement in favour of the Authority for the amount of any outstanding civil penalty due from the convicted defaulter.

Additional due process requirements before service of certain civil penalty orders

113. Where it appears to the Authority from written representations submitted to him or her that there may be a material dispute of fact concerning the existence or any salient aspect of the alleged default, the Authority must afford the alleged defaulter an opportunity to be heard by making oral representations before the Director General, for which purpose the Director General shall have the same powers, rights and privileges as are conferred upon a commissioner by the Commissions of Inquiry Act [Chapter 10:07], other than the power to order a person to be detained in custody, and sections 9 to 13 and 15 to 19 of that Act shall apply with necessary changes in relation to the hearing and determination before the Director General of the alleged default in question, and to any person summoned to give evidence or giving evidence before the Director General.

Appeals

114. (1) Any person who is aggrieved by a decision, proposal or action of the Authority under these regulations may appeal against the decision, proposal or action to the Minister.

(2) An appeal in terms of subsection (1) shall be lodged with the Minister in writing within thirty days after the appellant was notified of the decision, proposal or action appealed against.

(3) In an appeal in terms of subsection (1), the Minister may conduct or cause to be conducted such inquiry into the matter as he or she thinks appropriate and may confirm, vary or set aside the decision, proposal or action appealed against:

Provided that the Minister shall ensure that the appellant and the Authority, as the case may be, are given an adequate opportunity to make representations in the matter.

(4) The Minister shall ensure that the appellant and the Authority, as the case may be, are notified in writing of any decision reached by him or her in terms of subsection (3).

Repeal

115. The Civil Aviation (Security) Regulations, 2019, published in Statutory Instrument 200A of 2019, are hereby repealed.

FIRST SCHEDULE (*Sections 8, 9, 11, 13, 14, 15, 65, 66 and 109*)*FEES*

<i>Item</i>	<i>Fee</i>
	USD
1. Application for a crew member certificate.....	40
2. Application for replacement of lost or damaged licence or certificate	50
3. Application for security approval for architectural designs of facilities.....	2,000
4. Application for approval of security equipment	500
5. Application for accreditation as aviation security training institution	1,000
6. Renewal of accreditation as aviation security training institution	500
7. Security inspection of private aerodrome- cost recovery (per inspection)	150
8. Application to carry a firearm on board an air transport service.....	50
9. Application for approval of security equipment	500
10. Wheel-clamping and removal thereof.....	60
11. Tow-away charges (for every kilometre or any part thereof for which the vehicle is towed)	20
12. Storage charges (per day or part thereof).....	50
APPROVAL OF OPERATOR SECURITY PROGRAMMES	
13. Aerodrome Operator Security Programme	2,000
14. Aircraft Operator Security Programme	500
15. Aviation Service Provider Security Procedures	500
16. Aircraft Operator Security Procedures.....	500
17. Aviation Fuel Operator Security Programme.....	500
18. Inflight Catering Agent Security Programme.....	250
19. Regulated Agent Security Programme	500
20. Known Consignor Security Programme	250
21. Operator Facilitation Programme.....	500
22. Operator Contingency Plan.....	500
23. Operator Internal Security Quality Control Programme.....	500
24. Operator Security Training Programme	500
25. Ground Handling Procedures Manual.....	750

PERSONNEL CERTIFICATION AND LICENCING [PER PERSON]

26. Aviation security screener, initial certification.....	150
27. Aviation security screener, recertification	100
28. Aviation security internal quality control officer, initial certification.....	150
29. Aviation security internal quality control officer, recertification	100
30. Aviation security instructor, initial certification.....	200
31. Aviation security instructor, recertification	150
32. Private security guard.....	100

REGULATED AGENTS AND KNOWN CONSIGNORS

33. Initial certification as Regulated Agent.....	1,500
34. Renewal of Regulated Agent Status	500
35. Recertification inspection of Regulated Agent.....	250
36. Initial certification as Known Consignor	500
37. Renewal of Known Consignor status.....	250
38. Certification inspection of Known Consignor.....	150
39. Initial certification as Inflight Catering Agent.....	1,000
40. Renewal of Inflight Catering Agent status	500
41. Certification inspection of Inflight Catering Agent.....	250

SECOND SCHEDULE (Section 9)

FORMS

Form A.S. 1

Civil Aviation Act [13:16

APPLICATION FOR APPROVAL OF AIRCRAFT OPERATOR SECURITY PROGRAMME

PART III (Section 9)

1. Name of company:
2. Physical address
3. E-mail:.....
4. Telephone numbers:

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5. Programme objective clearly stated Yes/No*
6. Security responsibilities clearly allocated..... Yes/No*
7. Operator’s activities clearly defined..... Yes/No*
8. Information and communication
9. Airport’s activities clearly defined
10. Are the following security measures in accordance with the National Civil Aviation Security

Programme and the Aviation (Security and Facilitation) Regulations, 2022—

- (a) Travel document verification
- (b) Security of Aircraft
- (c) Passengers and cabin baggage screening
- (d) Passengers and baggage reconciliation.....
- (e) Security control of hold baggage
- (f) Security control of cargo and mail.....
- (g) Special categories of passengers and carriage of firearms.....
- (h) Unruly or disruptive passengers

- (i) Aircraft catering stores and supplies..... Yes/No*
- (j) Aircraft cleaning operations..... Yes/No*
- (k) Aircraft maintenance areas Yes/No*
- (m) Security personnel training Yes/No*
- (n) Contingency plans..... Yes/No*
- (o) Security incident reporting..... Yes/No*
- (p) Internal quality control measures satisfactory Yes/No*
- (q) Local airport procedures Yes/No*
- (r) Protection of airline executives and other personnel Yes/No*
- (s) Physical protection of buildings Yes/No*

11. This Aircraft Operator Security Programme is recommended by:

.....
 (Date) Director Aviation Security (*Signature and full name*)
 For:- AVSEC and Facilitation Regulatory Division
 Civil Aviation Authority of Zimbabwe

12. This Aircraft Operator Security Programme is approved/not approved*

.....
 (Date) Director General
 (*Signature and full name*)
 Civil Aviation Authority of Zimbabwe

**Please delete the inapplicable*

Form A.S. 2

Civil Aviation Act [13:16

APPLICATION FOR APPROVAL OF AERODROME OPERATOR SECURITY PROGRAMME

PART III (Section 8)

- 1. Name of company:
-
-
- 2. Physical address:
-
-
- 3. E-mail:
- 4. Telephone numbers:

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- 5. Programme objective clearly stated Yes/No*
- 6. Security responsibilities clearly allocated Yes/No*
- 7. Information and communication Yes/No*
- 8. Airport's activities clearly defined Yes/No*
- 9. Security measures for response to acts of unlawful interference satisfactory Yes/No*
- 10. Internal quality control measures satisfactory..... Yes/No*
- 11. Relevant appendices attached Yes/No*
- 12. Are the following security measures in accordance with the National Civil Aviation Security Programme and the Aviation (Security and Facilitation) Regulations, 2022—
 - (a) Security control of general public, passengers and luggage..... Yes/No*
 - (b) Security control of personnel in the and entering restricted area Yes/No*

- (c) Security control of the catering facilities..... Yes/No*
- (d) Security control of cargo/stores/goods Yes/No*

13. This Aerodrome Operator Security Programme is recommended by:

.....
(Date) Director Aviation Security (Signature and full names)
For:- AVSEC and Facilitation Regulatory Division
Civil Aviation Authority of Zimbabwe

14. This Aerodrome Operator Security Programme is approved/not approved*

.....
(Date) Director General
(Signature and full name)
Civil Aviation Authority of Zimbabwe

*Please delete the inapplicable

Form A.S. 3

Crew Member Certificate Number:

Civil Aviation Act [13:16

APPLICATION FOR CREW MEMBER CERTIFICATE

PART III (Section 21)

Applicants should study the conditions of issue outlined in Item 12

APPLICATION FOR A CREW MEMBER CERTIFICATE*

- 1. Surname:.....
- 2. Forename(s):.....
- 3. Sex:..... 4. Date and place of birth:.....
- 5. Identity number:.....
- 6. Civil Aviation Licence Number:
- 7. Employer's name:.....
- 8. Employer's address:
-
- 9. (Email):.....
- 10. Telephone number:.....
- 11. Employee's job title:
- 12. Period of temporary residence outside Zimbabwe Name of Country.....
- 13. State the period for which a Crew Member Certificate is required:.....
- 14. As a holder of a Crew Member Certificate, I understand, agree to and will abide by the following conditions of issue:—
 - (a) that the Crew Member Certificate issued to me is the property of Civil Aviation Authority of Zimbabwe;
 - (b) that I will safeguard the Crew Member Certificate at all times and report its loss or theft without delay to the issuing authority;
 - (c) that I will not permit unauthorized use of the Crew Member Certificate;
 - (d) that I will not abuse the Crew Member Certificate by entering the restricted areas when I am not on duty;
 - (e) that I will wear or display the Crew Member Certificate on the outer garment at all times when I am in any aerodrome restricted areas;
 - (f) that I will not assist a person who is not in possession of a valid Crew Member Certificate to enter any aerodrome restricted areas;

- (g) that I will surrender the Crew Member Certificate on termination of employment or demand by the issuing authority;
- (h) that should I contravene any of these conditions of issue, I will be liable to the penalties that can be imposed in terms of Civil Aviation (Security and Facilitation) Regulations.

15. I, the undersigned hereby declare that all the information contained herein is correct and true.

.....
(Date) Signature of applicant

.....
(Date) Signature of company representative

The appropriate fee, if payable, must accompany this application.

(i) FOR OFFICIAL USE ONLY

GPSI Vetting Comments:
.....
.....

.....
(Date) Signature

This application is approved/not approved

.....
(Date) For: Director General

- (a) Fee paid /not paid (Receipt number)
- (b) Amount paid
- (c) Aerodrome (s)
- (d) Crew Member Certificate number
- (e) Date of issue
- (f) Expiry date

.....
ISSUING OFFICER'S FULL NAME AND DESIGNATION

Vetting Reference #

Form A.S. 4

Civil Aviation Act [13:16

APPLICATION FOR SECURITY VETTING

PART III (Section 21, 69)

Two sets of fingerprint forms must be attached to this vetting form

- 1. Surname:
- 2. Forename(s):

- 3. Sex: 4. Date and place of birth:
- 5. National Identity/Passport number:
- 6. Marital status:
- 7. Religion:
- 8. Applicant's job title:
- 9. Employer's name:
- 10. Employer's address:
- 11. Email:
- 12. Telephone number:
- 13. Name and address of previous employer:
.....
- 14. Applicant's home address:
.....
- 15. Period of temporary residence outside Zimbabwe: Country name:
- 16. Reason for the security vetting:
- 17. Have you ever been convicted of a criminal offence (Yes / No)
- 18. If yes state nature of offence:
.....
.....
- 19. I, the undersigned hereby declare that all the information contained herein is correct and true.

.....
.....
(Date) *Signature of applicant*

.....
.....
(Date) *Signature of company representative*

FOR OFFICIAL USE ONLY

GPSI Vetting Comments:
.....
.....
.....

.....
.....
(Date) *Signature*

Application is authorised/not authorised

.....
.....
(Date) For: Director General

APPLICATION FOR AUTHORITY TO CARRY FIREARM ON BOARD AN AIRCRAFT

PART V (Section 64)

Please note—

- 1. that all information provided in terms of the Civil Aviation (Security and Facilitation) Regulations, shall be confidential and will only be disclosed to security agencies or to those on a need to know basis;
- 2. that applicants should study the conditions governing the carriage of firearms on an aircraft outlined in these Civil Aviation (Security and Facilitation) Regulations, before completing this form;
- 3. that applications must be submitted not later than twenty-four hours before the time at which the flight concerned is expected to arrive or depart from The Zimbabwe;
- 4. that this application must be submitted in triplicate.

1. Surname:

2. Forenames:

3. Date and place of birth:

4. Nationality:

5. National Identity / Passport Number:

6. Type of firearm intended to be carried on board the aircraft:

7. Make model and identity number of firearm intended to be carried on board the aircraft:
.....

8. Name of issuing authority, date and place of issue of firearm licence. (The firearm licence and an authenticated copy thereof must be produced before the application can be considered)
.....

9. Flight name/number of aircraft on which the firearm is to be carried on board:

10. Date and time of intended travel:

11. Reasons for carrying firearm: (Please tick in the appropriate box)

- Armed law enforcement officer
- Armed individual travelling alone
- Armed protection escort

Please elaborate:
.....
.....
.....
.....

12. *Declaration*

I hereby declare that the information given by me in this application form is to the best of my knowledge true and accurate. I have read the regulations governing the carriage of firearms on board an aircraft and I undertake not to breach or cause a breach of the regulations.

Civil Aviation (Security and Facilitation) Regulations, 2022

.....
Date *Full names and signature of applicant*

13. Recommendation by an officer, not below the rank of an Assistant Commissioner of Police, authorised by the Commissioner General of Police

.....
Date *(Signature, full names, rank and force number)*
For: Commissioner-General
Zimbabwe Republic Police

This application is approved/not approved*

.....
Date For: Director-General
Civil Aviation Authority of Zimbabwe

Form A.S. 7

Civil Aviation Act [13:16]

PART VIII (Section 80)

CORRECTIVE ACTION PLAN

(Name of Inspected Entity and Address)

Item No.	Inspector's Recommendations	Comments and Observations	Corrective Action(s) Proposed	Action Office	Estimated Action Dates		Follow Up
					Starting Date	Completion Date	
(a)							
(b)							
(c)							
(d)							
<i>Additional Notes:</i>							

This corrective action has been agreed to and signed by:

.....
Representative of Entity *Date* Inspector's Name *Date*
Designation Designation

Note

- (a) All the recommendations contained in the quality control report should be included in the action plan.
- (b) Corrective measures or actions proposed should be detailed and specific.
- (c) All corrective measures or actions proposed should contain start and finish dates, as applicable. The dates may be broken down into short, medium and long term actions.

APPLICATION FOR ACCREDITATION AS AN INSTRUCTOR/TRAINER

Part VIII (Section 70)

Initial Application / Recertification

1. Surname:
2. First Name:
3. Sex: Date and Place of Birth:
4. Physical Address:
5. Date and Place of Birth:
6. Telephone Number:
7. E-mail:
8. Nationally:
9. Marital Status:
10. Religion:
11. Previous employment details:
12. Employer's name.....
13. Employer's physical address.....
-
14. Email:
15. Telephone number.....
16. Have you ever been convicted of a criminal offence (Yes / No)
17. Previous Working Experience:
18. Referees:
19. Date of initial certification: Expiration Date:
20. Training and Education

Date	Training Attended	Institution	Courses Undertaken	Certificate Acquired	Duration

Note: Copies of certificates should be attached.

21. Name of supervisor and signature:

Declaration by applicant:

- I declare that the information is complete and accurate;
- I declare that I have no criminal convictions which are not already disclosed on the form;
- I declare that any misrepresentation of the facts is grounds for refusal of accreditation, disciplinary proceedings, and/or criminal charges;
- I authorize that approaches may be made to former employers, educational establishments, government agencies and personal referees for verification of the information that I have provided.

Date:

Signature:

FOR OFFICIAL USE ONLY

- | | |
|--|---------------|
| 1. Is the applicant a subject matter expert (SME) | Yes/No |
| 2. Is there original or certified proof of having undergone an approved “train the trainer” course | Yes/No |
| 3. Does the instructor have sufficient ability in reading, speaking, writing and understanding the English language, to enable such instructor to duly exercise the duties of an instructor? | Yes/No |
| 4. Does the instructor have a minimum of three years’ aviation security experience? | Yes/No |
| 5. Does the applicant meet requirements? | Yes/No |

Application Recommended/Not Recommended:

Date	Director Aviation Security (Signature and full names)
------	--

Application Approved/Not Approved:

Date	Director Aviation Security (Signature and full names)
------	--

Form A.S.9

Civil Aviation Act [13:16

APPLICATION FOR CERTIFICATION AS A SCREENER

Part VIII (Section 69)

Initial Application / Recertification Form

1. Surname:
2. First Name:
3. Sex: Date and Place of Birth:
4. Address:
5. Date and Place of Birth:
6. Telephone Number:
7. E-mail:
8. Nationality:
9. Marital Status:
10. Previous employment details:
11. Employer’s name.....
12. Employer’s physical address.....
-
13. Email:
14. Telephone number.....
15. Have you ever been convicted of a criminal offence (Yes / No)
16. Date of initial certification: Expiration Date:
17. Training and Education

Date	Areas of Certification Applied For	Training Institution	Courses Undertaken	Duration

Note: Copies of certificates should be attached. Employer's details

18. Name of supervisor and signature.....

Declaration by the applicant

I....., certify that the particulars given above are true to the best of my knowledge

Signature:

Date:

THIRD SCHEDULE (*Sections 8, 9, 10, 11, 12, 13, 14 and 15*)

OPERATOR'S SECURITY PROGRAMME (*Template*)

(Model Outline of the Operator's Programme)

I. PROGRAMME OBJECTIVE

To ensure the protection and safeguarding of passengers, crew, ground personnel, the general public, aircraft and facilities of an airport serving international civil aviation and domestic operations against acts of unlawful interference perpetrated on the ground or in flight.

II. SOURCES OF REGULATIONS

- A. National legislation—Statute, laws or decree and mandatory regulations under the national legislation.
- B. National civil aviation security programme/document or decree mandating operators to take security measures at airports of the concerned State.
- C. Others—IATA resolutions/recommendations; policy document of the company related to security; and relevant policies of other bodies.
- D. Additional security requirements of States to which the airline operates.

III. SECURITY AND OTHER AUTHORITIES

- A. Operator's executive management identifying the line of command for security-related functions.
- B. Appropriate authority at the national and airport level responsible for the implementation of the national and airport security programmes.
- C. Appropriate law enforcement agency.
- D. Appropriate municipal authority, where applicable.
- E. Other Government agencies/departments.
- F. Others.

IV. SECURITY ORGANISATION: TERMS OF REFERENCE

An outline of the security structure of the operator and its duties.

V. INFORMATION AND COMMUNICATION

- A. Security information circulars—Procedure related to the receipt, dissemination and accountability of security circulars.
- B. Reports and surveys.
- C. Communications—Procedures regarding the channel and method of communication with the appropriate authorities.
- D. Policy on media relations.

VI. DESCRIPTION OF OPERATOR'S ACTIVITIES

Scheduled international/domestic, scheduled cargo, or charter and policies and procedures related to security for each.

VII. SECURITY MEASURES

Will be in accordance with the State's National Civil Aviation Security Programme and harmonize with the airport security programme. The requirements may be supplemented if the level of threat so warrants. Where States to which the airline

operates have requirements at variance to the operators' home State, attachments covering the variation should be included with each relevant subsection.

A. Airline security.

1. Airline premises at airports.
2. Fences.
3. Lighting.
4. Access control (if required separately from access control measures under the airport security programme).
5. Vehicles.
6. Supervision of movement of people and vehicles.
7. Background checks (keeping in view the provisions of local laws/procedures).

B. Security control of passengers and hand baggage.

1. Authority for security control.
2. Protection of flight documents.
3. Identification of passengers.
4. Standards for security control—
 - (a) searchers using security equipment;
 - (b) hand searches;
 - (c) minimum hand searches;
 - (d) identification and disposal of articles to be removed;
 - (e) treatment of suspect persons and bags;
5. Special measures to security-clear electric and battery-operated items.
6. Off-airport check-in.
7. Security screening personnel.
8. Special measures of high risk flights.

C. Security control of checked baggage.

1. Authority for security control.
2. Passenger/Baggage reconciliation procedures to certify the accuracy and reliability of the system should be spelled out.
3. Special measures to security-clear electric, electronic and battery-operated items.
4. Other security control of checked (hold) baggage—
 - (a) searches;
 - (b) other means;
 - (c) identification and disposal of articles to be removed.
5. Control of movement of checked (hold) baggage.
6. Mishandled (expedite) baggage (normal and high threat situations, including system of inquiry into the circumstances leading to separation of baggage from passenger and the airline office responsible to make judgement as to the nature of additional security controls required before transporting it).
7. Off-airport check-in.
8. Protection of baggage tags.
9. Background checks.
10. Treatment of suspect baggage.
11. Special measures for high risk flights.

D. Security control of cargo/mail/small parcel/courier services.

1. Authority for security control.
2. Known/Unknown shipper concept.
3. Delay concept.
4. Physical searching.

5. Other security control.
6. Treatment of suspect cargo.
7. Special measures for high risk flights.
- E. Measures related to certain passengers.
 1. VIPs and diplomats.
 2. Government couriers and diplomatic bags.
 3. Diplomatic mail.
 4. Staff members (including crew).
 5. Disabled passengers.
 6. Inadmissible passengers/deportees/escorted prisoners.
- F. Carriage of firearms and weapons.
 1. Legal provisions and regulations.
 2. Protection on the ground.
 3. Escorts of prisoners/deportees.
 4. Bodyguards to Government VIPs.
 5. In-flight security guards.
- G. Security of aircraft.
 1. Search of aircraft.
 2. Protection on the ground.
 3. Protection in the air.
 4. Special measures for high risk flights.
 5. Special measures on request.
 6. Aircraft stores and servicing.
- H. Security equipment.
 1. Operation and management.
 2. X-ray equipment.
 3. Walk-through metal detectors.
 4. Hand-held metal detectors.
 5. Explosive detectors.
 6. Use of simulation chambers.
 7. Dogs and other biosensors.
 8. Others.

VIII. RESPONSE TO ACTS OF UNLAWFUL INTERFERENCE

- A. Operator's contingency plans.
 1. Unlawful seizure of aircraft.
 2. Sabotage.

3. Extortion.
4. Bomb threat.
5. Interference with staff.

B. Crisis management centre.

IX. TRAINING

- A. General.
- B. Security staff (selection, training, motivation, refresher training).
- C. Flight deck staff.
- D. Cabin crew.
- E. Ground operation staff.
- F. Cargo staff.
- G. Catering staff.
- H. Maintenance and engineering staff.
- I. Passenger service staff.
- J. Other.

X. ATTACHMENTS

- A. Company organisation charts.
- B. Aircraft diagrams.
- C. Premises' floor plans.

FOURTH SCHEDULE:

DANGEROUS GOODS AND ARTICLES

Interpretation

In this Part—

1. “ammunition” means ammunition for any firearm; grenades, bombs and other live missiles whether capable of use with a firearm or not;
2. “explosive” means gun powder, nitro-glycerine, dynamite and other nitro-glycerine admixtures, gun cotton, blasting powder, detonators, fuse and every other substance used to produce a practical effect by explosion, and any other substance or device declared in terms of the Explosives Act [Chapter 10:08] to be an explosive for the purpose of that Act;
3. “firearm” means—
 - (a) any lethal barrelled weapon of any description from which any shot, bullet or any other missile can be discharged or which can be adapted for the discharge of any such shot, bullet or any other missile;
 - (b) the barrel, bolt and chamber or any other essential component part of any such weapon as aforesaid.

Application of Part to certain dangerous articles

This Part shall apply to the following articles—

1. any explosive, any article manufactured or adopted whether in the form of a bomb, grenade or otherwise, so as to have the appearance of being an explosive, whether or not it is capable of producing a practical effect by explosion or any article marked or labelled so as to indicate that it is or contains explosives such as—
2. dynamite, TNT and other explosives normally found in the form of sticks, slabs or blocks; or
 - a. plastic explosives; or
 - b. black powder; or
 - c. pyrotechnics, such as flares, smoke bombs and fire crackers; or

- d. ammunition, including all types of cartridges and shells, loose or in clips; or
 - e. hand grenades and pipe bombs; or
 - f. electrical blasting caps with wires and mechanical blasting caps with wires (detonators); or
 - g. crimping pliers, safety fuses and blasting wires; or
 - h. any home-made sabotage devices and improvised explosive devices;
 - i. any weapons that are primarily designed to kill, immobilise or incapacitate any person or thing such as—
 - (i) firearms whether capable of being discharged or not, handguns, rifles and shotguns; or
 - (ii) flare guns and pellet guns; or
 - (iii) spear guns, blow guns and darts; or
 - (iv) electric dart guns;
3. mace, tear gas and other incapacitating sprays, liquids, powders normally found in canisters or disguised as pens; or
4. martial arts weapons, bladed or spiked finger rings and wrist bands; or
5. sword canes and umbrella sword; or
6. knives with blades over ten centimetres long; or
7. knife belts; any dangerous articles which may be used to threaten the safety of passengers, or aircraft such as—
8. starter pistols; or
- (c) toy guns; or
 - (b) toy grenades; or
 - (c) sharp pointed scissors, chisels, ice-picks; or
 - (d) pocket knives with blades over four centimetres; or
 - (e) spears and other dangerous wooden articles; or
 - (f) mace, tear gas and other incapacitating sprays, liquids, powders normally found in canisters or disguised as pens; or
 - (g) martial arts weapons, bladed or spiked finger rings and wrist bands; or
 - (h) sword canes and umbrella sword; or
 - (i) knife belts
 - (j) knives with blades over ten centimetres long; or
 - (k) screw drivers over four centimetres; or
9. butane, propane or lighter fluid.
- (a) any sharp objects that may be used to threaten the safety of passengers, crew and aircraft such as box cutters, ice axes, knives, meat cleavers, razor blades, scissors and swords shall not be carried as cabin baggage;
 - (b) any sporting goods that may be used to threaten the safety of passengers, crew and aircraft such as baseball bats, bows and arrows, cricket bats, golf clubs, hockey sticks, lacrosse sticks, pool cues, ski poles, spear guns shall not be carried as cabin baggage;
10. any tools that may be used to threaten the safety of passengers, crew and aircraft such as axes and hatchets, cattle prods, crowbars, hammers, drill bits, saws, crouches and pliers shall not be carried as cabin baggage;
11. any martial arts tools that may be used to threaten the safety of passengers, crew and aircraft such as Billy clubs, black jacks, brass knuckles, kubatons, mace spray, martial arts weapons, nigh sticks, nana chakus, stun guns, shocking devices, throwing starts shall not be carried as cabin baggage;
12. all liquids, aerosols and gels are prohibited as cabin baggage with the exception of—
- (a) those that are 100 grams or smaller in a 1 litre plastic zip-top bag;
 - (b) exceptions (in reasonable amounts over 100 grams) are:
 - (i) baby formula, breast milk and baby food;
 - (ii) medications (liquid, gels and or aerosols);
 - (iii) liquids (to include water, juice or liquid nutrients) or gels for diabetic or other medical needs:
- Provided that the exceptions are declared to a security officer at the checkpoint;
- (13) any flammable items that may be used to threaten the safety of passengers, crew and aircraft such as aerosols, fuels, gasoline, gas torches, lighter fluid, common lights, torch lighters, matches, turpentine and paint thinner, realistic replicas of incendiaries shall not be carried as cabin or checked baggage;

(14) any other hazardous materials which may be used to threaten the safety of passengers, crew and aircraft such as dry ice, gasoline-powered tools, wet cell batteries, camping equipment with fuel, radioactive materials, poisons, infectious substances, pepper spray shall not be carried as cabin or checked baggage;

(15) any flammable liquids that may be used to threaten the safety of passengers, crew and aircraft such as fuel paints, lighter refills, matches, shall not be carried as cabin or checked baggage;

(16) any pressure containers that may be used to threaten the safety of passengers, crew and aircraft such as spray cans, butane fuel, scuba tanks, propane tanks, CO2 cartridges, self-inflating rafts shall not be carried as cabin or checked baggage;

(17) any fireworks which may be used to threaten the safety of passengers, crew and aircraft such as signal flares, sparklers, other explosives shall not be carried as cabin or checked baggage;

(18) any disabling chemicals and dangerous items that may be used to threaten the safety of passengers, crew and aircraft such as chlorine, compressed gas cylinders, liquid bleach, spillable batteries, spray paint, tear gas shall not be carried as cabin or checked baggage;

(19) lithium and lithium-ion batteries—

- (a) all electrical devices such as cell-phones, laptops, pagers, personal data assistants and cameras shall be checked in carry-on baggage with batteries installed. No loose batteries shall be permitted;
- (b) lithium metal batteries shall not exceed 2 grams of lithium metal per battery;
- (c) each electronic device shall not use batteries which are more than 8 grams of equivalent lithium content in total:

Provided that all dangerous items confiscated by the Security Officers will be destroyed and shall not be handed over to their previous owners.

FIFTH SCHEDULE: (Section 17)

OPERATOR SECURITY PROGRAMME APPROVAL CERTIFICATE

Form A.S. 10

Civil Aviation Act [13:16

Part III

Certificate Number/.....



**AVIATION SECURITY AND FACILITATION REGULATORY DIVISION
OPERATOR SECURITY PROGRAMME APPROVAL CERTIFICATE**

PROGRAMME TYPE:

NAME OF OPERATOR:

LOCATION AND ADDRESS:

TYPE OF OPERATION(S):

DATE OF APPROVAL:

VALID UNTIL:

This programme has been evaluated and found to be in compliance with the requirements of the Civil Aviation (Security and Facilitation) Regulations of 2022 and the National Civil Aviation Security Programme, 2022.

Subsequently, this Programme is hereby approved for use by the above stated operator.

(Names of Issuer)
Director General
Civil Aviation Authority of Zimbabwe



