



The Official Gazette
(EXTRAORDINARY)
OF GUYANA

Published by the Authority of the Government

GEORGETOWN, THURSDAY 31ST JULY, 2025

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GEORGETOWN, Demerara – Printed and Published every Saturday and on such Extraordinary Days as may be directed by the Government by Guyana National Printers Limited, 1 Public Road, La Penitence, Greater Georgetown.

THURSDAY 31ST JULY, 2025

THE OFFICIAL GAZETTE
LEGAL SUPPLEMENT — B

31ST JULY, 2025

GUYANA

No. 8 of 2025

REGULATIONS

Made Under
THE CIVIL AVIATION ACT 2018
(Act No. 21 of 2018)

**IN EXERCISE OF THE POWERS CONFERRED UPON ME BY SECTIONS 36, 70 AND,
140 OF THE CIVIL AVIATION ACT, I MAKE THE FOLLOWING
REGULATIONS: -**

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PART I**PRELIMINARY**

Citation. 1. These Regulations may be cited as the Civil Aviation (Security) Regulations 2025.

Interpretation. 2. In these Regulations, unless the context otherwise requires, –

“act of unlawful interference” means an act which seeks to or jeopardizes the safety of civil aviation and air transport and includes –

- (a) unlawful seizure of an aircraft in flight or on the ground;
- (b) destruction to an aircraft in service;
- (c) hostage-taking on board an aircraft or on airports;
- (d) forcible intrusions on board an aircraft, at an airport or at the premises of an aeronautical facility;
- (e) introduction on board an aircraft or at an airport of a weapon or hazardous device or material intended for criminal purposes;
- (f) use of an aircraft in service for the purpose of causing death, serious bodily injury, or serious damage to property or the environment; and
- (g) communication of false information so 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 at the premises of a civil aviation facility;

“aircraft operator” has the same meaning assigned to the term “operator” in the Act and includes air operators;

“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 and substances;

“airport operator” means a certified or licensed operator of an airport;

“airport tenant” means any enterprise that is resident at an airport;

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

“approved security programme” means a security programme approved by the Authority under regulation 33;

“background check” means a check of a person’s identity, previous work experience, criminal history and any other security related information relevant for an assessment of the person’s suitability to be employed or contracted to implement security control or for unescorted access to security restricted areas;

“baggage” means personal property of passengers or crew carried or intended to be carried on an aircraft;

“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;

“certification” means a formal evaluation and confirmation by or on behalf of the Authority that a person possesses the necessary competencies to perform assigned functions to an acceptable level as defined by the Authority;

“checked baggage” means luggage and personal belongings accepted for transportation by an aircraft operator and to which a person will not have access while on board an aircraft;

“commercial air transport operation” means an aircraft operation involving the transport of passengers, cargo or mail for remuneration or hire;

“corporate aviation” means the non-commercial operation or use of aircraft by a company for the carriage of passengers or goods as an aid to the conduct of company business, flown by a professional pilot employed to fly the aircraft;

“crew member” means a person assigned by an operator to duty on an aircraft during a flight duty period;

“disembarkation” means the leaving of an aircraft after a landing, except by crew or passengers continuing on the next stage of the same through-flight;

“disruptive passenger” means a passenger who fails to respect the rules of proper conduct at an airport or on board an aircraft or to follow the instructions of the airport staff or flight or cabin crew members and thereby disturbs the good order and discipline at an airport or on board an aircraft;

“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;

“facilitation committee” means a committee established under regulation 42;

“facilitation programme” means a written programme referred to in regulation 30;

“firearm” means any lethal barreled weapon of any description from which any shot, bullet or missile can be discharged and includes any prohibited weapon whether such a lethal weapon as aforesaid or not, any component part of any such lethal or prohibited weapon, and any accessory to any such weapon designed or adapted to diminish the noise or flash caused by firing the weapon;

“foreign aircraft operator” means an aircraft operator who conducts international air transport operations under the authority of an aircraft operator certificate issued by a State other than Guyana;

“general aviation” means an aircraft operation other than a commercial air transport operation or an aerial work operation and includes corporate aviation;

“goods” means personal belongings, baggage, cargo, mail, article, thing or conveyance that may be taken or placed on board an aircraft or taken into a restricted area;

“hijacking” means any person who on board an aircraft in flight unlawfully, by force or threat thereof, or by any other form of intimidation, seizes, commandeers or exercises control of, that aircraft, or attempts to perform any such act;

“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;

“human performance” means human capabilities and limitations which have an impact on the safety, security and efficiency of aeronautical operations;

“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 authorized by the government of the State of the Operator and the government of the State of Registration to be deployed on an aircraft with the purpose of protecting that aircraft and its occupants against acts of unlawful interference;

“international airport” means any airport designated in Guyana as an 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;

“mail” means dispatches of correspondence and other items tendered by and intended for delivery to postal services in accordance with the rules of the Universal Postal Union (UPU);

“National Air Transport Facilitation Committee” means the Committee established under regulation 21;

“National Air Transport Facilitation Programme” means the written programme developed by the Authority under regulation 13;

“national aircraft operator” means an aircraft operator operating under the authority of the Guyana Civil Aviation Authority;

“National Civil Aviation Security Committee” means the National Civil Aviation Security Committee established under the Act;

“National Civil Aviation Security Quality Control Programme” means the National Civil Aviation Security Quality Control Programme established under the Act;

“National Civil Aviation Security Screeners Certification Programme” means the National Civil Aviation Security Screeners Certification Programme established under the Act;

“National Civil Aviation Security Training Programme” means the National Civil Aviation Security Training Programme established under the Act;

“operator” means a person engaged in civil aviation operations or who provides aviation related services;

“pilot-in-command” means the pilot responsible for the operation and safety of the aircraft during flight time;

“piracy” means any illegal acts of violence or detention, or any act of depredation, committed by the crew or the passengers of an aircraft, or and directed against another aircraft, or against persons or property on board an aircraft;

“protective services” means officers of the Guyana Police Force and the Guyana Defense Force;

“quarantine” means the restriction of activities or separation from others of suspect persons who are not ill or of suspect baggage, containers, conveyances or goods in such a manner as to prevent the possible spread of infection or contamination;

“record” includes any writing, drawing, map, tape, film, video, photograph, or other means by which information is preserved;

“restricted area” means any area of an airport that is identified as an area to which access is restricted to authorized persons and includes any aircraft or vehicle on that airport;

“risk” means the potential for an unwanted outcome resulting from an incident, event or occurrence. Risk can be estimated by considering the likelihood of threats, vulnerabilities and consequences or impacts;

“risk assessment” means the continual, on-going exercise to update the complete range, magnitude and type of credible threats and their likelihood, based on reliable information from the intelligence services, the vulnerabilities to them, and the possible consequences or impacts of loss of degradation from successful attacks;

“screening” means the application of technical or other means which are intended to identify or detect weapons, explosives or other dangerous

devices, articles or substances which may be used to commit an act of unlawful interference;

“screening officer” means a person has been trained in accordance with the National Civil Aviation Security Screeners Certification Programme and who has been employed by an airport operator to carry out security screening duties;

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

“security audit” means an in-depth compliance examination of all aspects of the implementation of the National Civil Aviation Security Programme;

“security control” means the means by which the introduction of weapons, explosives or other dangerous devices, articles or substances which may be used to commit an act of unlawful interference can be prevented;

“security measure” includes, safeguards, controls, policies, procedures, passwords, access codes and encryption codes developed to prevent entry or accessibility;

“security officer” means -

- (a) a person who is trained in accordance with the security training requirements of the approved airport security programme and who has been appointed as a security officer by an airport operator, aircraft operator or airport tenant;
- (b) any member of the Guyana Police Force or Supernumerary Constable when assigned airport security duties; and
- (c) includes, where the person is trained in accordance with the National Civil Aviation Security Screeners Certification Programme, a screening officer;

“security pass” means a document issued by the designated pass issuing authority, that entitles the holder to have access to a specific restricted area of an airport during a specified period;

“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 and will include areas such as all commercial aviation passenger departure areas between the screening checkpoint and the aircraft, the ramp, the apron, the baggage make-up areas, including those areas where aircraft are being brought into service and where screened baggage and cargo are present, cargo sheds, mail centers, airside catering and aircraft cleaning premises;

“security programme” means a security programme required under regulation 26;

“service provider” means an agent or entity, including a security service provider, or handling service or company which conducts business for an aircraft or airport operator in respect of conducting aircraft checks or searches, facility searches, documentation checks, passengers handling, passenger screening, screening and searching cargo, mail, baggage, carry-ons, check baggage handling, access control and any similar duty or function assigned by the aircraft or airport operator;

“sterile area” means: -

- (a) an area between any passenger inspection or screening checkpoint and aircraft, into which access is strictly controlled;
- (b) an area within a restricted area to which access is controlled by the inspection of persons and property in accordance with Parts I and II of these Regulations;
- (c) a facility within a restricted area of an airport accessible to screened persons and set apart to facilitate security control of persons embarking and disembarking aircraft;

“threat” for aviation security means that threats are deliberate, intentional acts carried out by individuals or organizations, generally with a hostile purpose;

“travel document” means a passport or other official document of identity issued by a State or organization, which may be used by the rightful holder for international travel;

“unidentified baggage” means baggage at an airport, with or without a baggage tag, which is not picked up by or identified with a passenger; and

“weapon” means anything designed, used or capable of inflicting harm and includes a firearm.

PART II**GENERAL**

Applicability.

3. These Regulations apply to –

- (a) airport operators;
- (b) aircraft operators, including foreign aircraft operators;
- (c) airport occupants;
- (d) any person in or within the vicinity of an airport;
- (e) cargo operators;
- (f) air navigation service providers;
- (g) catering service providers;
- (h) security service providers;
- (i) handling service providers;
- (j) any person who offers goods for transport by air;
- (k) any person who provides contracted services to aircraft operators, airport operators or airport occupants
- (l) any person on board an aircraft engaged in aviation operations; and
- (m) any person granted authorized access to an airport.

International cooperation.

4. (1) The Director General shall promote international cooperation between Guyana and other relevant states with respect to aviation security and may –

- (a) ensure that requests from other Contracting States for additional security measures in respect of a specific flight by operators of the other State are met, as far as practicable;
- (b) co-operate with other Contracting States in the development and exchange of information concerning development and maintenance of –
 - (i) National Civil Aviation Security Programmes;
 - (ii) National Civil Aviation Security Training Programmes;
 - (iii) National Civil Aviation Security Quality Control Programmes;
 - (iv) National Civil Aviation Security Screeners Certification Programmes;

- (v) any other national civil aviation security documents.
- (c) ensure that where procedures are established and implemented, to share with other Contracting States threat information that applies to aviation security interest of those States;
- (d) establish and implement suitable handling procedures for the protection of security information shared with other Contracting States, in order to ensure that inappropriate use of disclosure of the security information is avoided; and
- (e) promote research and development of new security equipment, processes and procedures with other Contracting States which will better achieve civil aviation security objectives while observing the human factors principles.

(2) The Director General may request another Contracting State to provide additional security measures and information in respect of a specific flight by a national operator.

(3) Where a request is made by the Director General under subregulation (2), the Director General shall give consideration to alternative security measures offered by that State which are equivalent to the request.

PART III

NATIONAL PROGRAMMES

National security programmes to be in written form.

5. (1) The Authority shall develop –

- (a) the National Civil Aviation Security Programme;
- (b) the National Civil Aviation Quality Control Programme; and
- (c) the National Civil Aviation Security Training Programme,

in written form.

Purpose of National Civil Aviation Security Programme.

6. The Authority shall develop the National Civil Aviation Security Programme with the purposes of –

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

Purpose of
National Civil
Aviation Security
Quality Control
Programme.

(b) developing and mandating practices, programmes, and procedures in aviation that guarantee and protect the safety, regularity and efficiency in the aviation industry.

7. The Authority shall ensure that the National Civil Aviation Security Quality Control Programme is –

- (a) developed, implemented and maintained to satisfy the requirements of these Regulations;
- (b) developed, implemented and maintained to determine and validate the effectiveness of aviation security standards and requirements contained in the National Civil Aviation Security Programme;
- (c) developed and maintained to contain all necessary quality control monitoring measures taken to assess on a regular basis the implementation of these Regulations and the National Civil Aviation Security Programme, including the policies on which they are based;
- (d) developed and maintained in such form, and to include such elements, as stipulated in the National Civil Aviation Security Programme;
- (e) developed and maintained to guide the Authority's regular verification of the implementation of civil aviation security measures in Guyana and of compliance with the National Civil Aviation Security Programme on the part of the entities required to comply;
- (f) developed and maintained to provide for security audits, tests, security assessments, risk assessments, threat assessments, vulnerability assessments and inspections to be conducted on a regular basis, or as often as the presence of security risks, threats or vulnerabilities require, to verify compliance with these Regulations and to determine and validate the effectiveness of the National Civil Aviation Security Programme;
- (g) developed and maintained to include measures for prompt rectification of any deficiencies or non-compliance identified during any security audit, test, security assessment, risk assessment, threat assessment, vulnerability assessment or inspection.
- (h) developed, implemented and maintained with the aim of monitoring for compliance on the part of the Authority of all aviation entities to whom the National Civil Aviation Security Programme applies and of compelling compliance among those entities while taking into account any risk, threat level, type and nature of operation, standard

of implementation, or other factors and assessments that necessitate more frequent monitoring;

- (i) developed in a manner to ensure that the Authority is independently responsible for the management, setting of priorities and organization of the National Civil Aviation Security Quality Control Programme; and
- (j) developed in a manner that allows the Director General or persons authorized by the Director General to require entities to which the National Civil Aviation Security Quality Control Programme applies to furnish the Authority with the results of any quality control audits, inspections or monitoring carried out by the internal quality control personnel of those entities.

Purpose of
National Civil
Aviation Security
Training
Programme.

8. The Authority shall develop, implement and maintain the National Civil Aviation Training Programme with the aim of ensuring that all personnel of all entities involved with, or responsible for, the implementation of the various aspects of the National Civil Aviation Security Programme are trained and ensuring the effectiveness of the National Civil Aviation Security Programme.

Authority to be
appropriate
authority with
respect to aviation
security.

9. The Authority is designated as the appropriate authority responsible for the oversight of aviation security in Guyana and for the continuous development and implementation of the National Civil Aviation Security Programme including –

- (a) coordinating and monitoring the implementation of the National Civil Aviation Security Programme by other Government agencies with responsibilities involving airport security including responsibilities assigned to them in the National Civil Aviation Security Programme;
- (b) reviewing and approving the security programmes developed by entities involved in aviation operations prior to their implementation, and monitoring the implementation of the security programmes;
- (c) liaising with the National Civil Aviation Security Committee and other national security agencies and services on matters involving aviation security and taking adequate measures to respond to, and prevent, different levels of threats;
- (d) reviewing and approving the services of airport security managers, and security instructors outlined in the National Civil Aviation

Security Programme and the National Civil Aviation Security Training Programme; and

(e) reviewing and recommending personnel nominated as security screeners and quality control personnel in accordance with the training, certification, and evaluation processes outlined in the National Civil Aviation Security Programme, the National Civil Aviation Security Training Programme, the National Civil Aviation Security Quality Control Programme, and the National Civil Aviation Security Screeners Certification Programme.

General role of Director General with respect to aviation security.

10. The Director General shall –

(a) ensure that the National Civil Aviation Security Programme is promulgated strictly amongst aviation stakeholders to safeguard civil aviation operations against acts of unlawful interference;

(b) ensure that the level of threat to civil aviation within Guyana is kept under constant review and that policies, methods and procedures are established to adjust the relevant elements of the National Civil Aviation Security Training Programme accordingly based upon a security risk assessment conducted in a manner acceptable to the Authority;

(c) ensure that appropriate parts of the cooperation framework agreement and action plan documents of the National Civil Aviation Security Programme and other relevant information or guidelines are made available to all airport operators, aircraft operators and other appropriate stakeholders to enable them to meet the requirements of the National Civil Aviation Security Programme;

(d) define and allocate tasks and coordinate activities between the departments, agencies and other organizations of the State, including airport and aircraft operators, air traffic service providers and other entities concerned with, or responsible for, the implementation of various aspects of the National Civil Aviation Security Programme;

(e) coordinate and work closely with other government agencies and airport and aircraft operators in the application of aviation security measures in a manner to minimize unnecessary delays and inconvenience to passengers, cargo and aircraft operators; and

(f) arrange for security controls and procedures to have minimal interference with, or delay to, the activities of civil aviation, whenever

possible, provided the effectiveness of these security controls and procedures are not compromised.

Management and response to acts of unlawful interference.

11. (1) The Director General shall ensure that provisions are established in the National Civil Aviation Security Programme to outline roles and responsibilities for the management of responses to acts of unlawful interference.

(2) An airport operator shall develop contingency or emergency plans for the proper management and response to acts of unlawful interference which that operator shall test by –

(a) a full-scale contingency exercise conducted biennially or at intervals not exceeding two years; and

(b) a table-top contingency exercise in the intervening year.

(3) The Director General, or a person authorized by the Director General, shall evaluate, in accordance with ICAO and the National Civil Aviation Security Programme, contingency or emergency exercises, or components thereof, carried out by airport operators under subregulation (2).

(4) An airport operator shall submit that operator's contingency or emergency plan to the Authority for review and approval in accordance with the National Civil Aviation Security Programme.

(5) An airport operator who fails to comply with subregulation (2) or (4) commits an offence and is liable on summary conviction to a fine of one million dollars and to imprisonment for six months.

Establishment of National Civil Aviation Security Screeners Certification Programme.

12. The Authority shall establish, implement and maintain a written National Civil Aviation Security Screeners Certification Programme to ensure that persons assigned to conduct aviation security screening functions are properly trained and tested and meet the basic qualifications to perform such screening functions.

Establishment of National Air Transport Facilitation Programme.

13. The Authority shall develop, implement and maintain a written National Air Transport Facilitation Programme to guide the improvement and optimization of passenger and cargo flows through airports and to improve customer service, while maintaining appropriate security requirements.

Objectives of National Air Transport Facilitation Programme.

14. The Director General shall ensure that the National Air Transport Facilitation Programme includes provisions aimed at coordination between relevant ministries, agencies and industry partners in order to –

- (a) ensure that measures are implemented to comply with the Standards and Recommended Practices (SARPs) contained in ICAO's Annex 9;
- (b) enhance processes and procedures to facilitate the movement of aircraft, crews, passengers, cargo, baggage, mail and stores by removing unnecessary obstacles and delays, in addition to enhancing efficiency, productivity and service quality of civilian air transport services; and
- (c) proactively support the development of innovative strategies to address facilitation issues in the air transport industry and civil aviation environment of Guyana.

Authority to be appropriate authority with respect to facilitation security.

15. The Authority is designated the appropriate authority responsible for the oversight of aspects of facilitation related to aviation security, aviation safety and transport management in accordance with ICAO's Annex 9, and the Authority shall coordinate with all responsible Ministries and government agencies involved in security matters in relation to civil aviation.

Role of Director General with respect to facilitation.

16. The Director General shall –

- (a) work with the chairperson of the National Civil Aviation Security Committee to achieve and maintain consistency between the National Air Transport Facilitation Programme and the National Civil Aviation Security Programme;
- (b) provide secretariat support to the National Air Transport Facilitation Committee;
- (c) periodically review full compliance with the SARPS within Annex 9 and, if necessary, file differences and notify ICAO;
- (d) ensure operations are carried out in such a manner as to accomplish effective compliance with the laws of Guyana while maintaining a high level of productivity for the operators, airports and government agencies involved in inspection;
- (e) give consideration to suggestions for the improvement of air transport facilitation and the National Air Transport Facilitation Programme emanating from the chairperson of the National Air Transport Facilitation Committee;
- (f) ensure civil aviation operations are carried out in such a manner as to accomplish effective compliance with security and facilitation requirements while maintaining a high level of productivity for the operators, airports and government agencies involved;

- (g) encourage the allocation of sufficient supporting resources and facilities required by stakeholders to effectively implement facilitation measures at each airport serving civil aviation;
- (h) ensure the use of efficient screening and examination techniques when processing passengers, baggage, and cargo to facilitate scheduled departure of aircraft;
- (i) allow the adoption of procedures, facilities and initiatives to facilitate movement of travelers, baggage, cargo and aircraft so long as all necessary security measures and other control requirements are met;
- (j) coordinate with the immigration authority to ensure that the technologies incorporated into travel documents enhance the facilitation and security of the traveler; and
- (k) advise the chairperson of the National Air Transport Facilitation Committee on security processes or implications for consideration as and when required.

PART IV

NATIONAL COMMITTEES

National Civil Aviation Security Committee

Composition of
National Civil
Aviation Security
Committee.

17. (1) The National Civil Aviation Security Committee shall consist of the following persons –

- (a) the Permanent Secretary of the Ministry with responsibility for Civil Aviation who shall be the chairperson;
- (b) the Director General of the Guyana Civil Aviation Authority who shall be the Deputy Chairperson;
- (c) a representative of the Prime Minister's office or of the office of the Minister with responsibility for civil aviation who shall be the Secretary;
- (d) the Director General of the Ministry with responsibility for Foreign Affairs;
- (e) a Security Adviser to the President or Prime Minister;

- (f) the Permanent Secretary of the Ministry with responsibility for Home Affairs;
- (g) the Permanent Secretary of the Ministry with responsibility for Local Government;
- (h) the Commanding Officer of the Guyana Defense Force;
- (i) the Commissioner of Police;
- (j) the Commissioner General of the Guyana Revenue Authority;
- (k) the Chief Fire Officer;
- (l) the Chief Executive Officer, or the equivalent officer, of each certified airport;
- (m) a representative of the Aircraft Association; and
- (n) a representative of the Airline Association.

(2) An official mentioned in subregulation (1) may send a representative authorized in writing to initiate any necessary action in support of the Committee's work where he or she is not in a position to attend a meeting.

(3) Eight (8) members of the National Civil Aviation Security Committee, including not less than five of the members referred to in subregulations (3)(a), (b), (c), (e), (f) and (l) shall constitute a quorum.

(3) The Chairman may request any other person with specialized knowledge of a matter under consideration by the National Civil Aviation Security Committee to be present at any of its meetings.

Functions of Committee.

18. The functions of the Committee are to –

- (a) advise the Government, the Authority and the civil aviation industry on aviation security initiatives and measures required to mitigate present and future threats to civil aviation and its facilities;

- (b) support the continuous development and implementation of the National Civil Aviation Security Programme by the Authority;
- (c) assist the Authority with the coordination between the Ministries, Government agencies, departments and other relevant agencies including those represented on the Committee to ensure that there is cooperation in the effective implementation of the National Civil Aviation Security Programme;
- (d) assist in re-evaluating security measures and procedures following an act of unlawful interference and provide advice on actions to be taken as may be necessary to remedy vulnerabilities and prevent recurrences of any act of unlawful interference;
- (e) consider recommendations made by airport security committees of and, where appropriate, make corresponding recommendations to the Authority for consideration in the revising and updating of the National Civil Aviation Security Programme;
- (f) assist in the exchange and dissemination of information on incidents, threats and appropriate counter measures relating to Aviation Security;
- (g) advocate and promote security considerations in the design of new airports or the expansion of existing facilities at existing airports; and
- (h) fulfill any other duties outlined in the National Civil Aviation Security Programme or as assigned by the Minister.

Procedures of Committee.

19. The National Civil Aviation Security Committee shall regulate its own procedures.

Meetings of Committee.

20. (1) The chairperson of the Committee shall call meetings at least once per year unless it is deemed necessary by the chairperson to increase the frequency of meeting.

(2) The Chairperson, with the assistance of the Secretary, shall keep minutes for each meeting and after approval of the minutes by the members, shall circulate the minutes to the members and authorities concerned.

National Air Transport Facilitation Committee

Establishment of
National Air
Transport
Facilitation
Committee.
Functions of
Committee.

21. There is established a National Air Transport Facilitation Committee.

22. The functions of the Committee include –

- (a) developing and implementing the provisions of the National Air Transport Facilitation Programme in accordance with the provisions of Annex 9 to the Chicago Convention of 1944;
- (b) providing guidance and advice for making improvements to border crossing and border security formalities with respect to aircraft engaged in international operations and their passengers, crew and cargo in line with the Chicago Convention of 1944 and ICAO's Annex 9;
- (c) ensuring coordination between relevant ministries, agencies and the aviation industry to remove unnecessary obstacles and delays and improve efficiency in the services which facilitate commercial air transport operations;
- (d) considering recommendations from relevant entities for enhancing facilitation of civil air transport;
- (e) encouraging the development of best practices in all areas of facilitation of civil air transport including immigration, customs, and handling of the traveling passengers including persons with disabilities;
- (f) where necessary, preparing, and submitting to the Minister and the Authority, proposals for changes to legislation concerning facilitation of civil air transport;
- (g) informing agencies, departments and other organizations concerned of significant facilitation developments in the field of civil aviation;
- (h) coordinating with the National Civil Aviation Security Committee on security related elements of facilitation matters;
- (i) advising Government and the aviation sector on meeting compliance with new international developments, requirements and best practices in facilitation; and

Composition of Committee.

(j) fulfill any other duties outlined in the National Air Transport Facilitation Programme or as assigned by the Minister.

23. (1) The National Air Transport Facilitation Committee shall consist of –

- (a) the Permanent Secretary of the Ministry of Public Works who shall be the chairperson;
- (b) the Director-General of Guyana Civil Aviation Authority who shall be the deputy chairman;
- (c) the Commissioner General of the Guyana Revenue Authority;
- (d) the Permanent Secretary of the Ministry of Public Health;
- (e) the Permanent Secretary of the Ministry of Agriculture;
- (f) the Deputy Chief Immigration Officer;
- (g) the Chief Executive Officer, or an equivalent officer, of each certified airport;
- (h) a representative from each facilitation committee;
- (i) a representative of the Aircraft Owners Association of Guyana;
- (j) the national coordinator of the Collaborative Arrangement for the Prevention and Management of Public Health Events in Civil Aviation.

(2) A person mentioned in subregulation (1) may send a representative authorised in writing to initiate any necessary action in support of the Committee's work where he or she is not in a position to attend a meeting.

(3) The following persons shall play an advisory role to the National Air Transport Facilitation Committee and shall attend the meetings of the Committee when invited to do so –

- (a) the Permanent Secretary of the Ministry of Citizenship;
- (b) the Permanent Secretary of the Ministry of Home Affairs;

- (c) the Permanent secretary of the Ministry of Foreign Affairs;
- (d) the Permanent Secretary of the Ministry of Tourism;
- (e) the Director General of Civil Defence Commission; and
- (f) a representative of each foreign aircraft operator;
- (g) any other person with specialized knowledge of, or is otherwise an expert on, a matter or subject under consideration by the Committee

(4) Eight members of the National Air Transport Facilitation Committee, including not less than five of the members listed under subregulation (1) (a), (b), (c), (d), (g) and (i) shall constitute a quorum.

Procedures of Committee.

24. The National Air Transport Facilitation Committee shall regulate its procedures in accordance with the National Air Transport Facilitation Programme.

Meetings of Committee.

25. The Committee shall meet at least once every six (6) months, or more often where the Chairperson deems it necessary, and the chairperson shall be responsible for convening both the regular and ad hoc meetings of the committee.

PART V

OPERATOR AND OTHER PROGRAMMES

Persons required to have security programmes.

26. (1) The following persons shall develop and implement a written security programme in accordance with these Regulations and the National Civil Aviation Security Programme –

- (a) certified airport operators;
- (b) licensed airport operators;
- (c) domestic aircraft operators;
- (d) cargo operators;
- (e) cargo handlers;
- (f) security service operators;

(g) ground handling service providers;

(h) air navigation service providers; and

(i) catering service providers;

(2) A person listed in subregulation (1) shall not operate or provide the relevant service, respectively, unless –

(a) that person has submitted a written security programme with respect to that operation or service to the Authority for review; and

(b) the Authority has approved the security programme.

(3) A foreign aircraft operator shall not operate in Guyana unless –

(a) the operator has submitted, as part of the operator's application for a foreign operations specifications, a written aircraft operator security programme in accordance with these Regulations and the National Civil Aviation Security Programme or supplementary station procedures to the Authority for review; and

(b) the Authority has approved the security programme or supplementary station procedures.

Persons required to have security quality control programmes.

27. A person listed in regulation 26(1) shall develop and implement a security quality control programme, in accordance with these Regulations, the National Civil Aviation Security Programme and the National Civil Aviation Security Quality Control Programme, to monitor that person's aviation operations, security systems and practices.

(2) A person listed in subregulation (1) shall not operate or provide the relevant service, respectively, unless –

(a) that person has submitted a written security quality control programme with respect to that operation or service to the Authority for review; and

(b) the Authority has approved the programme.

(3) A person listed in subregulation (1) shall ensure that all personnel employed by that person to carry out quality control duties must possess and demonstrate the necessary competencies to perform their assigned duties and

functions to a level acceptable to the Authority through the approval process outlined in the National Civil Aviation Security Training Programme.

Persons required to have security training programmes.

28. (1) A person listed in regulation 26(1) shall develop and implement a written security training programme, in accordance with these Regulations, the National Civil Aviation Security Programme and the National Civil Aviation Security Training Programme, for the training of all personnel whose duties relate to security and the Director General shall carry out inspections and evaluations of the delivery of training courses to those personnel.

(2) A person listed in subregulation (1) shall not operate or provide the relevant service, respectively, unless –

(a) that person has submitted a written security training programme with respect to that operation or service to the Authority for review; and

(b) the Authority has approved the programme.

Persons required to have security screeners certification programmes.

29. (1) A person listed in regulation 26(1) who wishes to carry out screening with respect to that person's operation or service shall –

(a) establish and implement a written security screeners certification programme in accordance with these Regulations, the National Civil Aviation Security Programme and the National Civil Aviation Security Screeners Certification Programme;

(b) ensure that all security screeners employed by that person are certified in accordance with the National Civil Aviation Security Programme, National Civil Aviation Security Training Programme and the National Civil Aviation Security Screeners Certification Programme.

(2) A person listed in subregulation (1) shall not operate or provide the relevant service, respectively, unless –

(a) that person has submitted a written security screener certification programme with respect to that operation or service to the Authority for review; and

(b) the Authority has approved the programme.

Persons required to have facilitation programmes.

30. (1) An airport operator shall develop and implement a written facilitation programme in accordance with these Regulations and the National Air Transport Facilitation Programme.

(2) An airport operator listed in subregulation (1) shall not operate unless –

(a) that person has submitted a written facilitation programme with respect to that operation to the Authority for review; and

(b) the Authority has approved the programme.

Contents of programmes.

31. A person required to have an approved programme, shall develop and maintain the content of that security program in accordance with these Regulations, the National Civil Aviation Security Programme and other relevant national security programmes established under the Act and these Regulations.

Applications for approval of programmes.

32. A person seeking to apply for approval of the Authority of that person's programme required under these Regulations shall –

(a) submit the two written copies of the programme including the authorized signature of the applicant on both copies at least ninety days before the intended date of the commencement of operations; and

(b) pay the prescribed fees in accordance with the Schedule.

Approval of programmes.

33. (1) Where the Director General is satisfied that a proposed programme submitted in accordance with these Regulations is developed in accordance with these Regulations, the Director General shall approve the proposed programme.

(2) The Director General shall approve or deny an application made under regulation 32 within ninety days after the date on which the application process set out in that regulation was completed.

Access to programmes.

34. (1) The Authority shall retain one copy of an approved programme for ease of reference.

(2) The holder of an approved programme shall –

(a) maintain one complete copy of his approved programme at his principal business office;

- (b) maintain a complete copy or the pertinent portions of his approved programme at each location where security measures are being implemented;
- (c) make a copy of the programme available for inspection upon request by persons authorized by the Authority; and
- (d) restrict the distribution, disclosure, and availability of sensitive security information only to persons who by their defined roles and responsibilities in the programme are required to have such information for the performance of their duties and functions.

(3) A person who fails to comply with subregulation (2) commits an offence and is liable on summary conviction to a fine of two hundred thousand dollars.

Period of validity of programmes.

35. The Director General may approve a programme developed under these Regulations for a period no longer than three years.

Renewal of approved programmes.

36. A person seeking to renew an approval for a programme shall re-apply for approval using the process set out in regulation 32.

Amendment of approved programmes

37. (1) Where an applicant whose programme has been approved by the Authority under these Regulations wishes to have that programme amended, the person shall submit the request for approval of the proposed amendment to the Authority at least thirty (30) days before the proposed effective date of the commencement of the implementation of the amended part of the programme and where the Director General is satisfied that the proposed amendment to the security programme provides the level of security required by these Regulations, the Director General shall approve the amendment or amended security programme.

(2) The Director General may request, in writing, the holder of an approved programme to amend that programme –

- (a) where he determines that security, safety and the public's interest necessitate the amendment;
- (b) in accordance with updates to the relevant national programmes established and maintained under the Act and these Regulations.

(3) Except in an emergency as provided in subregulation (6), where the Director General requires a person to amend his approved security

programme under subregulation (2), the Director General shall immediately notify the person, in writing, of the required amendment and specify in the notice the deadline for the required amendment which shall be not less than one month from the date the notice was received by the person.

(4) A person in receipt of a notice under subregulation (3), may submit a suggested alternative amendment to the approved security programme which meets the intent of the amendment required by the Director General, for consideration by the Director General.

(5) Where the Director General is satisfied that the alternative amendment submitted under subregulation (4), would provide an overall level of security equal to that required by the Authority, the Director General shall approve the alternative amendment in lieu of the amendment initially required.

(6) Where the Director General determines that an emergency exists which requires immediate action not provided for in a person's security programme, the Director General shall direct the person to immediately deviate in a specified manner from the relevant approved security programme in the area of concern, for a specified period.

(7) The Director General may suspend or revoke an approved programme of a person who fails to –

- (a) take immediate action required under subregulation (6);
- (b) amend that person's approved programme by the date specified by the Director General under subregulation (1).

Interim measures
where operating
conditions
change.

38. (1) Where a person who has been granted approval of a security programme –

- (a) determines, in the case of an airport operator, that any description of the airport area set out in the security programme is no longer accurate; or
- (b) determines, in the case of any operator, that any description of the relevant operations set out in the security programme including related procedures, facilities and equipment described in the programme are no longer accurate or applicable,

the person shall follow the procedures in subregulation (2).

(2) In any circumstance listed in subregulation (1), the relevant person listed in subregulation (1) shall –

- (a) immediately notify the Authority of the changed condition, identifying, in the notice, the interim measures which are being taken by that person to maintain adequate security measures until approval is granted for an appropriate amendment to be made to that person's approved Security Programme under regulation 37; and
- (b) within thirty (30) days after notifying the Authority in accordance with paragraph (a), submit for approval in accordance with regulation 37, an amendment to the security programme to bring it into compliance with these Regulations and the National Civil Aviation Security Programme.

Offence of operating without approved programme.

39. A person required under these Regulations to have an approved programme with respect to that person's civil aviation operations, or civil aviation services who engages in those operations or provides those services –

- (a) without an approved programme;
- (b) in a manner that is not in accordance with the relevant approved programme,

commits an offence and is liable on summary conviction to a fine of three million dollars and imprisonment for two years.

PART VI

AIRPORT COMMITTEES

Airport security committee.

40. An airport operator shall establish a security committee, in accordance with the provisions of the National Civil Aviation Security Programme, to ensure the implementation of the relevant parts of that programme at the airport and any national civil aviation security initiatives that may be required by the National Civil Aviation Security Committee and the Authority.

Composition and functions of airport security committee.

41. An airport operator shall ensure that that operator's airport security committee is comprised of such persons, and performs the functions, as are required by the National Civil Aviation Security Programme.

Facilitation committee.

42. An airport operator shall establish a facilitation committee, in accordance with the provisions of the National Air Transport Facilitation Programme, to ensure the implementation of the relevant parts of that programme at the airport and any national civil aviation facilitation initiatives that may be required by the National Air Transport Facilitation Committee and the Authority.

Composition and functions of facilitation committee.

43. An airport operator shall ensure that that operator's facilitation committee is comprised of such persons, and performs the functions, as are required by the National Air Transport Facilitation Programme.

PART VII

AIRPORT AND AIRCRAFT SECURITY

Airport security

Construction plans.

44. An airport operator shall ensure that the design and construction of new facilities and alteration to existing facilities at the airport, including the architectural and infrastructure design, satisfies the security requirements and stipulations in the National Civil Aviation Security Programme.

(2) An airport operator shall, prior to the commencement of any new construction, renovation or expansion works at an the airport or the construction of additional airport facilities at the same location, submit to the Authority for review and approval, the plans, drawings, proposals and relevant documents including architectural and infrastructure-related designs, and the security measures and considerations which are to be integrated into the plans, designs and works to safeguard civil aviation against acts of unlawful interference which may arise.

(3) An airport operator who fails to comply with this regulation commits an offence and is liable on summary conviction to a fine or five hundred thousand dollars.

Inspections by foreign authorities.

45. (1) Where an aircraft operator uses the facilities of an airport in Guyana and operates services into the state of registry or the state of operator, and the appropriate foreign authority of that State wishes to conduct an inspection of the security measures in place at the airport in Guyana, that foreign authority shall submit a written request to the Director General and –

(a) the Director General may, in coordination with the airport operator, approve of the inspection in writing; and

(b) where the Director General approves of the inspection, the airport operator shall cooperate with the foreign authority and the Director General as required by the Director General.

(2) Where an aircraft operator operates services into another state, or the state of operation, the Director General may request permission from the appropriate authority for aviation security of that foreign state, to conduct an inspection in order to assess the adequacy of the security measures in place governing the activities of that aircraft operator's operations in that State.

(3) A person who permits a foreign aviation authority to conduct an inspection at an airport in Guyana without the written approval of the Director General commits an offence and is liable on summary conviction to a fine of one million dollars and to imprisonment for two months.

Airport security services.

46. (1) An airport operator may provide security services at the airport.

(2) An operator of a certified airport providing security services at the airport shall not, at the same time, provide security services to an airline or aircraft operator without written approval granted by the Authority on such conditions as the Authority sees fit.

(3) An operator of a certified airport shall maintain a clear separation of the tiers of airport security and airline or aircraft operator security must be maintained at all times.

(4) An operator of a certified airport who fails to comply with subregulations (2) or (3) commits an offence and is liable on summary conviction to a fine of one million dollars.

Airport security officers and screening officers.

47. (1) An airport operator shall ensure that each security officer and screening officer employed at the airport –

(a) abstains, through the use of disciplinary actions where necessary, from the consumption of alcoholic beverages or psychotropic substances or is otherwise not under the influence of alcoholic beverages or psychotropic substances while performing duties;

(b) is readily identifiable by uniform and displays or carries a badge or other identification of authority while performing duties; and

(c) has completed a training programme that meets the requirements of the National Civil Aviation Security

Training Programme and the National Civil Aviation Security Screeners Certification Programme.

(2) An airport operator who fails to comply with subregulation (1) commits an offence and is liable on summary conviction to a fine of one million dollars.

(3) A security officer or screening officer employed at an airport who is found drinking or using, or under the influence of, alcoholic beverages or psychotropic substances commits an offence and is liable on summary conviction to a fine of five hundred thousand dollars.

Obstruction, etc.,
of security officer
or screening
officer.

48. Any person who –

(a) obstructs or intimidates; or

(b) performs any act of assault or violence against;

a security officer or screening officer, while that officer is on duty at an airport, commits an offence and shall be liable on summary conviction to fine, under paragraph (a), of five hundred thousand dollars and imprisonment for three months and, under paragraph (b), of two million dollars and imprisonment for two years.

Screening of
persons, luggage
etc.

49. (1) A security officer or a screening officer employed by an airport operator shall require each person entering and leaving a restricted area to have that person's body, hand-carried items, goods and vehicle screened by an appropriate means or method which may include physical search or X-ray screening or the use of other screening technology.

(2) A person who fails to comply with this regulation commits an offence and is liable on summary conviction to a fine of one million dollars and imprisonment for one year.

Refusal of
screening.

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

(2) Where, after having boarded an aircraft, a passenger is required by a security officer, screening officer, or law enforcement officer to submit to the screening of his or her person or his or her goods, baggage or cargo

carried or placed on board the aircraft by that person and he or she refuses to submit to the screening, the security officer, screening officer or law enforcement officer shall order such person to disembark the aircraft and cause the removal of the baggage, cargo, goods or checked baggage of the person and the person shall disembark the aircraft.

(3) A person who refuses to comply with the requests –

- (a) of a security officer or screening officer to leave an area under subregulation (1), commits an offence and is liable on summary conviction to a fine of five hundred thousand dollars;
- (b) of a security officer, screening officer or law enforcement officer under subregulation (2) commits an offence and is liable on summary conviction to a fine of seven hundred thousand dollars and imprisonment for two months.

Security incidents.

51. (1) An airport operator shall immediately investigate, where it appears to have merit, a report of a security related incident at the airport including but not limited to –

- (a) a discovery of an unauthorized firearm whether at the airport or on board an aircraft;
- (b) a discovery, at the airport or on board an aircraft, of –
 - (i) an unauthorized firearm;
 - (ii) an explosive device or substance;
 - (iii) an incendiary device;
 - (iv) an explosion at the airport, other than an explosion resulting from planned excavation, demolition, construction or use of fireworks at the airport or
 - (v) a suspected explosive device or suspected incendiary device;
- (c) a refusal by a person to submit to the security screening required under these Regulations;

- (d) a refusal by a person to remove himself or herself and his or her goods from a restricted area when so ordered by an security officer;
- (e) any unattended or unidentified baggage, or any report of unattended or unidentified baggage, located in his or her area of responsibility;
- (f) any suspicious packages, baggage, articles or goods, or any report of suspicious packages, baggage, articles or goods, in his or her area of responsibility; or
- (g) a specific threat a report of a specific threat against the airport;

and shall coordinate with law enforcement to take immediate and appropriate actions to mitigate any possible threat.

(2) An airport operator shall, after any threat under subregulation (1) has been resolved, provide a written report of the incident to the Authority.

(3) An airport operator shall ensure that a detailed record is kept of every security incident that occurred at the airport and shall ensure that each record –

- (a) is kept for a minimum period of 10 years, or for such period that may be directed by the Authority;
- (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, threats and attempted acts of air piracy, hijacking, unruly or disruptive passengers and events, and other acts of unlawful interference;

(iii) of bomb threats received, real and simulated bombs found and actual bombings at the airport; and

(iv) of detentions and arrests and the immediate disposition of each person detained or arrested.

(4) A person who fails to comply with this regulation commits an offence and is liable on summary conviction to a fine of two million dollars and imprisonment for two years.

Sensitive security information.

52. (1) A person shall not divulge to any other person documented or undocumented sensitive security information in respect of security measures which is in effect at an airport, aircraft operation, cargo or catering company, or an air navigation service provider without the written consent or permission of that entity.

(2) A person who contravenes subregulation (1) commits an offence and is liable on summary conviction to a fine of seven hundred thousand dollars and imprisonment for one year.

False statements, entries, or unauthorized reproduction.

53. (1) A person shall not make, or cause to be made, any of the following

—
(a) a fraudulent or intentionally false statement in any aviation document, airport security programme or an application for any aviation document, approval of a security programme, access medium, or identification medium;

(b) a fraudulent or intentionally false entry in any record or report that is kept, made or used to show compliance with, or exercise any privileges under, any part of these Regulations; or

(c) a reproduction or alteration of any report, record, security programme, access medium or identification medium made, approved or issued under these Regulations without the approval of the airport operator.

(2) Any person, who fails to comply with subregulation (1) is liable on summary conviction to a fine of three million thousand dollars and imprisonment for two years.

Background checks.

54. (1) An airport operator shall not issue to a person a document that allows unescorted access privileges to a restricted or security restricted area unless –

- (a) a background check of that person has been completed which includes a person's identity, verification of previous work experience and criminal history; and
- (b) the person has successfully completed training and awareness training, where applicable, in accordance with the curriculum specified in the relevant airport security programme.

(2) A person who fails to comply with this regulation commits an offence and is liable on summary conviction to a fine of one million dollars.

Authority for screening.

55. (1) A security screener employed by an aircraft operator, catering operator, cargo or mail operators, or any aviation entities or organizations to carry out aviation security-related duties shall not perform those duties unless that security screener possesses and demonstrates the necessary competencies to perform their assigned functions, and is certified, in accordance with the National Civil Aviation Security Screeners Certification Programme.

(2) An airport operator, an airline or aircraft operator, a catering, cargo or mail operator or other aviation operator shall ensure that all security screeners employed by that operator to carry out security-related duties and functions are certified in accordance with the National Civil Aviation Security Training Programme and the National Civil Aviation Security Screeners Certification Programme.

(2) A person who fails to comply with this regulation commits an offence and is liable on summary conviction to a fine of one million dollars and imprisonment for one year.

Screening of persons.

56. (1) A person seeking to enter a restricted area or a security restricted area at an airport as specified within the relevant airport security programme shall, as required, subject his or her person and any vehicle, carry-on baggage, cargo, goods or other articles in his or her possession to be screened and shall not enter that area without so subjecting his or her self and possessions for screening.

(2) An aircraft operator shall not transport a person or that person's carry-on baggage, cargo, goods or other articles in his or her possession where that person and his or her possessions are required to be screened under

subregulation (1) unless the person and that person's possessions have been screened in accordance with that subregulation.

(3) A person, including a screening officer, shall not assist another person in circumventing a screening of that other person or that other person's vehicle, carry-on baggage, cargo, goods or other articles in his or her possession.

(4) Where a Pilot-in-Command of an aircraft has reasonable grounds to believe that a person on board an aircraft is in violation of any regulation under this Part or is a potential risk to the security and safety of the passenger and crew on board the aircraft, the Pilot-in-Command may order the person to disembark the aircraft.

(5) A person ordered to disembark an aircraft under subregulation (4) shall immediately disembark the aircraft taking with him or her any possessions he or she may have taken on board the aircraft.

(6) A person who contravenes subregulation (1), (2), (3) or (5) commits an offence and is liable on summary conviction to a fine of one million dollars and imprisonment for one year.

False security alarms.

57. A person who at an airport or on board an aircraft falsely declares that –

(a) the person, or another person, is carrying a weapon, an explosive substance, an incendiary device or other dangerous item that could be used to jeopardize the security of an airport or aircraft;

(b) that an item listed in paragraph (a) is contained in goods or other things in the person's possession or control at the airport or on board the aircraft; or

(c) that an item listed in paragraph (a) is at the airport or on board the aircraft,

commits an offence and is liable on summary conviction to a fine of three million dollars and imprisonment for two years.

Entering security restricted area.

58. A person who, without lawful authority, enters a security restricted area at an airport commits an offence and is liable on summary conviction to a fine of seven hundred thousand dollars and to imprisonment for one year.

False claims for purpose of obtaining or holding an airport security pass.

Unauthorized access to airport or aircraft.

59. A person who makes a statement or a claim which he or she knows to be false in a material particular or recklessly makes a statement which is false in a material particular for the purpose of obtaining and holding, or continuing to hold, a security pass or permit allowing access to an airport or part thereof commits an offence and is liable on summary conviction to a fine two hundred thousand dollars.

60. (1) A person who uses an airport security pass or permit to gain access to an aircraft, or to an area of an airport or an air navigation facility when he or she is not entitled to such access commits an offence and is liable on summary conviction to a fine five hundred thousand dollars and to imprisonment for three months.

(2) A person who uses a false or unauthorized airport security pass or permit for the purpose of gaining access to an aircraft, a security restricted area or an air navigation facility commits an offence and is liable on summary conviction to a fine of five hundred thousand dollars and to imprisonment for three months.

(3) A holder of an airport security pass or permit who transfers, lends, gives or sells his or her permit to another person with the intention of enabling that other person to gain access to an aircraft, a security restricted area or an air navigation facility when that other person is not authorized to gain such access commits an offence and is liable on summary conviction to a fine of seven hundred thousand dollars and to imprisonment for three months.

(4) A person who, being a person authorized by an airport operator to issue airport security permits or passes, issues a security permit or pass to a person who is not authorized to be issued with such a permit, with the intention of enabling that other person to gain access to an aircraft, a security restricted area or an air navigation facility commits an offence and is liable on summary conviction to a fine of five hundred thousand dollars and to imprisonment for three months.

(5) A person who issues or gives an airport security pass or permit to a person who is not authorized to be issued such a pass or permit, with the intention of enabling that other person to gain access to an aircraft, a security restricted area in an airport or an air navigation facility commits an offence and is liable on summary conviction to a fine of five hundred thousand dollars and to imprisonment for three months.

Conditions for use
of airport security
pass.

61. A person who fails to –

- (a) comply with any conditions applying to an airport security pass or permit system;
- (b) return an airport security pass or permit promptly following its expiry or upon his or her becoming no longer authorized to possess it; or

commits an offence and is liable on summary conviction to a fine of two hundred thousand dollars.

Refusal to obey
instruction of
security officer.

62. A person who refuses to obey any instruction, order or reasonable request of a security officer or airport police officer acting in the execution of his or her duties at an airport commits an offence and is liable on summary conviction to a fine of five hundred thousand dollars.

Unidentified
baggage.

63. Where a security officer has reasonable cause to suspect that an item of baggage or any other object may constitute a security risk, that officer may, after subjecting the item of baggage or object to security controls, including investigating and evaluating it to ascertain whether there are, or may be, explosives in or on it, and confirming that there are or may be explosives in or on it, –

- (a) remove, or cause to be removed; and
- (b) neutralize or destroy, or cause to be neutralized or destroyed,

by whatever means necessary, the item of baggage or object in the absence of the timely presence of a police officer or other officer equipped and authorized to do so.

Aircraft security

Carriage of
firearms.

64. (1) Unless otherwise provided under the Act, these Regulations or any other regulations made thereunder, an aircraft operator shall not permit any person to have on or about his or her person, or on or in his or her property, a weapon, concealed or unconcealed, accessible to him or her while on board the aircraft.

(2) Subregulation (1) shall not apply to an in-flight security officer authorized to be on board the aircraft.

(3) A person shall not, while on board an aircraft engaged in aviation operations, carry on or about his or her person a weapon either concealed or unconcealed.

(4) An aircraft operator shall not permit any person to transport, nor shall any person transport or tender for transport, a weapon, incendiary device or loaded firearm on his or her person or in the cabin of an aircraft.

(5) For the purposes of this regulation, “a loaded firearm” means a firearm, which has inserted in it a live round of ammunition, cartridge, detonator or powder in the chamber or in a clip, magazine or cylinder.

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

(a) the person declares to the aircraft operator or his or her representative, either orally or in writing, before tendering the baggage for the purpose of being checked in, that –

(i) he has a firearm carried in his or her checked baggage; and

(ii) that it is unloaded;

(b) the person presents –

(i) a license for the firearm or other documentary proof that the person is legally permitted to be in possession of the firearm;

(ii) an export license for the firearm from the State of departure;

(iii) an import license for the firearm issued by the State of destination; and

(iv) any other document which may be required by law.

- (c) a suitably qualified and trained person verifies that the firearm is unloaded;
- (d) the firearm is transported in an appropriate hard container or case and is locked to prevent unauthorized access; and
- (e) the checked baggage or container containing the firearm is loaded on the aircraft in an area that is inaccessible to passengers.

(7) An aircraft operator shall ensure that where a firearm is not secured in checked baggage it shall be carried in the hold of the aircraft in a container the aircraft operator considers appropriate for air transportation.

(8) An aircraft operator engaging in the transportation of firearms shall notify all prospective passengers and passengers checking in, in writing or by placing appropriate signage at the point of check-in, informing them of the requirement to declare their possession of a firearm.

(9) A person who fails to comply with subregulations (1), (3), (4), (5), (6), or (7) commits an offence and is liable on summary conviction to a fine of two million dollars and imprisonment for two years.

Security threats
and procedures.

65. (1) Where an aircraft operator determines that there is a specific threat which jeopardizes the security of an aircraft on the ground or in flight, he shall immediately take all measures necessary to ensure the safety of the aircraft, passengers and crew on board the aircraft, including but not limited to –

- (a) informing the pilot-in-command, the crew members assigned to the aircraft or flight, the airport operator, air traffic control or the air navigation service provider, and the relevant protective services of the nature of the threat;
- (b) where the aircraft is on the ground, moving such aircraft to a place of safety such as an isolated aircraft parking position at the airport according to the directions of the airport operator; and
- (c) conducting an aircraft security search or aircraft security check as necessitated by the nature of the threat and screening

of the passengers, baggage, cargo and goods on board the aircraft, unless the aircraft search or check and screening is likely to jeopardize the safety of the passengers and crew members.

(2) Where the aircraft, under subregulation (1), is on the ground, the Pilot-in-Command shall comply with any direction given by the airport operator or a member of the appropriate protective services, unless complying with such direction is likely to jeopardize the safety of the passengers and crew members.

(3) Upon receiving information that an act or suspected act of unlawful interference has been committed with respect to an aircraft, the relevant aircraft operator shall –

- (a) where the aircraft is not in flight, immediately notify the Authority, if the aircraft is in Guyana, or the appropriate aviation authority of the State where the aircraft is located;
- (b) where the aircraft is in flight, notify the appropriate aviation authority –
 - (i) of the State in whose territory the aircraft is located;
 - (ii) of the State in whose territory the aircraft is to land; and
 - (iii) of each of the States over which the aircraft intends to enter while en-route to the territory in which the aircraft is to land.

(4) Where an aircraft operator determines that there is a specific threat which jeopardizes the security of a facility or part of an airport under the aircraft operator's control, the aircraft operator shall immediately take all of the measures necessary to ensure the safety of the facility or part of the airport and persons at the airport or, including informing the airport operator and the relevant protective services of such threat.

(5) Upon receipt of a bomb threat against a specific aircraft, the relevant aircraft operator shall determine whether or not any explosive or incendiary device is aboard the aircraft involved by doing the following –

- (a) conducting an aircraft security search on the ground before the next flight or where the aircraft is in flight, immediately after its next landing;
- (b) where the aircraft is being operated on the ground, advising the Pilot-in-Command to immediately submit the aircraft for an aircraft security search;
- (c) 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; and
- (d) immediately notifying the appropriate air traffic control authority of the nature of the threat.

(6) A person who fails to comply with this regulation commits an offence and is liable on summary conviction to a fine of two million dollars and to imprisonment for two years.

Contracted service providers to provide security information to Authority.

66. (1) A person who provides handling, security or other services to an aircraft operator and a person who provides handling, security or other service related to the transportation of passengers, goods or cargo by air, shall provide to the Authority, on reasonable notice given by the Authority, written or electronic records or other information relevant and related to the security of the operations of the aircraft operator, including –

- (a) information concerning the method of implementing the security measures that apply to those persons under these Regulations;
- (b) a description of the nature of the operations related to any flight and of the services provided in respect of the flight;
- (c) information concerning the aircraft, operational documents, flight plans, general declarations, passenger information, security declaration, and other documents related to cargo transport; and
- (d) any other documents or information related to aviation security.

(2) A person who fails to comply with this regulation commits an offence and is liable to a fine of one million dollars and to imprisonment for one year.

Powers and responsibilities of a pilot-in-command.

67. (1) The pilot in command shall, while the aircraft is in flight, have the power and responsibility to –

- (a) protect the safety of persons and property on board;
- (b) restrain persons on board who may be a threat to the safety and security of the aircraft and passengers;
- (c) disembark persons who may be a threat to safety;
- (d) search persons and baggage on an aircraft and take possession of or confiscate items which could be used in connection with any act of unlawful interference;
- (e) notify authorities of Guyana as soon as practicable and, before landing, in the territory of Guyana, inform them of any contravention of these Regulations by any person on board the aircraft;
- (f) provide the authorities of Guyana with evidence and information regarding the incident that necessitated the restraint and or disembarkation of a passenger.

(2) In case of severe threat to the safety and security of an aircraft by a disruptive passenger on board, the pilot in command shall –

- (a) land the aircraft at the nearest suitable airport; and
- (b) disembark the passenger,

in consultation with the authorities of the State in which the pilot wishes to land the aircraft.

General security provisions

Reporting of security incidents.

68. (1) An aircraft operator, or airport operator, as the case may be, shall immediately notify the Authority when there is –

- (a) a hijacking or attempted hijacking of an aircraft;

- (b) the discovery, on board an aircraft, of a weapon, other than an unloaded firearm allowed under these Regulations;
- (c) the discovery, on board an aircraft, of an explosive device or substance or an incendiary device, other than an explosive substance or incendiary device allowed on board the aircraft under the Act or regulations made thereunder;
- (d) an explosion on an aircraft; or
- (e) a specific threat against an aircraft, a flight or a facility or part of an airport under its control.

(2) An aircraft operator shall immediately notify the relevant airport operator and the Authority when a weapon other than a firearm allowed under these Regulations is detected in any part of the airport being utilized by that aircraft operator.

(3) An aircraft operator shall immediately notify the airport operator and the Authority when a weapon or other dangerous device, article or substance which may be used to commit an act of unlawful interference is discovered in any area beyond a screening checkpoint or within the security restricted area.

(4) A person who fails to comply with this regulation commits an offence and is liable on summary conviction to a fine of one million dollars and to imprisonment for one year.

Security screeners
to provide
security
information to
Authority.

69. (1) A person authorized to perform screening on behalf of an aircraft or airport operator shall provide to the Authority, on reasonable notice given by the Authority, written or electronic records or other information relevant or related to the security of the person's screening operations including -

- (a) information concerning the method of implementing the security measures that apply to those operations under these Regulations;
- (b) a description of the nature of the screening operations related to a particular flight or at a particular airport; and

(c) information regarding subject matters related to aviation security including time logs, test logs, images, findings, incident times, incident and other reports related to a flight, screening equipment, passengers, persons, baggage, cargo, catering and vehicle.

(2) A person who fails to comply with this regulation commits an offence and is liable to a fine of one million dollars and to imprisonment for one year.

Compliance monitoring.

70. In accordance with section 42A of the Act, the Director General may immediately suspend or revoke any aviation document including an approved security or other programme where the Director-General considers such action necessary in the interests of aviation safety and security or believes that the holder of the document has failed to properly implement or comply with the provisions or conditions of the document, these Regulations or any relevant programme under these Regulations.

Power of investigation.

71. (1) The Director General may require any airport operator, any aircraft operator and any holder of an aviation document or approved aviation security programme to undergo an investigation conducted by the Authority, if the Director General believes, on reasonable grounds, that it is necessary in the interests of civil aviation security, and if the Director General –

(a) has reasonable grounds to believe that the holder has failed to comply with these Regulations, the National Civil Aviation Security Programme or that holder's approved 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, irresponsible or incompetent manner.

(2) If the Director General requires a holder of an aviation document, including an approved aviation security programme, to undergo an investigation, the Director General shall –

(a) conclude the investigation as soon as practicable; and

(b) inform the holder of –

(i) the date on which the investigation will begin; and

(ii) the results of the investigation, including any sanctions or recommendations arising out of the investigation the justifications for those sanctions or recommendations.

Right of access to electronic or digital audio and video recordings.

72. (1) For the purpose of carrying out his or her functions, duties, or powers under these Regulations, the Director General or any person duly authorized by the Director-General shall have right of access, at any time, to any electronic or digital audio or video recordings made –

- (a) by an airport operator;
- (b) at or in any airport;
- (c) by any aircraft operator; or
- (d) in any aircraft,

and to any device or equipment which, in the estimation of the Director General or the person duly authorized by the Director General, may have been used to make or store those recordings.

(2) During any inspection, audit, investigation, test, or assessment of any part of an airport, aircraft, or aviation facility, the Director General or any person duly authorized by the Director-General shall have the power to immediately review and make or obtain copies of any video footage and audio recordings of –

- (a) any person whilst they are conducting an aviation security function;
- (b) any check-in areas, boarding gates, and departure areas of an airport;
- (c) any security screening checkpoints and access control points and gates at airports;
- (d) any act of unlawful interference which occurred;
- (e) any security incident or situation which threatened civil aviation;
- (f) any building, terminal or facility on the airport or part thereof;

- (g) any part of the airport and perimeter; and
- (h) any aviation security training session;
- (i) any aircraft or part thereof;
- (j) any other applicable areas when necessary,

for the purposes of enforcement, reporting, quality assurance, quality control or compiling a report or for use as evidence in an investigation, investigation report or legal proceedings.

(3) During any inspection, audit, investigation, test, or assessment of any part of an airport, aircraft, or aviation facility, the Director General or any person duly authorized by the Director-General shall have the power to, as the case may be, take video footage, audio recordings, photocopies and photographs of –

- (a) any person whilst they are conducting an aviation security function;
- (b) any aviation security document including any record, log book, checklist, training material and training record;
- (c) any check-in areas, boarding gates, and departure areas of an airport;
- (d) any security screening checkpoints and access control points and gates at airports;
- (e) any aviation security training session;
- (f) any aircraft or part thereof;
- (g) any building, terminal or facility on the airport or part thereof;
- (h) any part of the airport and perimeter; or

(i) any other applicable areas when necessary,

for the purposes of enforcement, quality assurance, quality control, investigating, reporting, compiling a report or for use as evidence in an investigation, investigation report or legal proceedings.

Power of entry.

73. (1) Where in the estimation of the Director General or any person duly authorized by the Director-General –

- (a) any breach of these Regulations is being or is about to be committed;
- (b) a condition imposed under any civil aviation security programme is not being complied with; or
- (c) any other situation exists, or is about to exist, within the civil aviation system that constitutes a serious threat or danger to persons or property, or may result in an act of unlawful interference,

the Director General or the person may at any time enter any aircraft, airport, building, or place, and carry out an inspection to determine whether or not a matter referred to in paragraphs (a), (b) or (c) exists.

(2) Where an inspection under subregulation (1) reveals that a situation listed in that subregulation exists, the Director General or any person duly authorized by the Director-General may –

- (a) instruct the airport or aircraft operator to take immediate steps or implement measures to address that situation; or
- (b) where necessary in the interest of the safety of security of persons or property, instruct the airport or aircraft operator to cease or suspend operations, or part thereof, until such time as measures are taken to return the operation to a safe and secure level of operation,

and an airport or aircraft operator who fails to comply with those instructions commits an offence and is liable on summary conviction to a fine of two million dollar and imprisonment for one year.

(3) The Director General or any person duly authorized by the Director-General shall have the power to enter and inspect or subject to aviation inspection and testing –

- (a) any aircraft registered or operating in Guyana;

- (b) any part of any airport in Guyana;
- (c) any air navigation facilities in Guyana;
- (d) any land, including any buildings or facilities thereon, outside an airport occupied for any aviation-related business purposes by a person who has access to the security restricted area of the airport for business purposes;
- (e) any property (building or facility) found on any airport.

(4) The Director General or any person duly authorized by the Director General, shall have the power to –

- (a) inspect, investigate and test the effectiveness of security systems, and security practices and procedures of any holder of an aviation document including a holder of approved security programme;

(b) require –

- (i) an aircraft operator;
- (ii) an airport operator; or
- (iii) an occupier of land, outside an airport, occupied for any aviation-related business purposes connected with the airport,

to provide information relevant to the audit, inspection or test.

Power to stop passenger from travelling.

74. Where a security officer has reasonable cause to suspect that a person who is about to embark on an aircraft in Guyana or is on board an aircraft in Guyana, intends to commit an offence that amounts to an act of unlawful interference, the security officer or police officer with the approval of the officer in charge of the airport or the police officer in charge at the airport, respectively, may prohibit that person from travelling on board the aircraft by: -

- (a) preventing the person from embarking on the aircraft;

- (b) removing the person from the aircraft; or
- (c) in case of a security officer, arresting him without warrant and immediately handing him over to the police for appropriate action.

Failure to take corrective action in cases of serious breaches.

75. An operator who fails to take immediate corrective action required under the National Civil Aviation Security Programme where there is a serious breach in security compliance on the part of that operator, commits an offence and is liable on summary conviction to a fine of three million dollars and to imprisonment for two years.

PART VIII

MISCELLANEOUS

Liability of body corporate.

76. Where an offence under these Regulations is committed by a body corporate and is proven to have been committed with the consent or connivance of, or is attributable to any neglect on the part of –

- (a) any director, manager, secretary, agent or similar officer of the body corporate; or
- (b) any person who was purporting to act in any such capacity,

that person, as well as the body corporate, commits the offence and is liable to the fines and terms of imprisonment prescribed.

Exemptions from screening.

77. The Director General may approve of an exemption for a person or a list of persons from the requirement to be screened and shall notify the relevant operator of an airport of any exemptions made.

Exemptions from regulations.

78. (1) The Director General may exempt any person, airport or category of airports from specific provisions of these Regulations or of a national or other programme and, except in cases deemed emergencies by the Director General, a person submitting an application for an exemption under this regulation shall do so in accordance with subregulation (2).

(2) A person seeking an exemption shall submit a written application to the Director General requesting the exemption at least thirty days before the day on which the person hopes to be granted the exemption and the Director General shall within thirty days after receiving the application, refuse or grant, in writing, the exemption providing written

justifications to the applicant where the exemption is not granted and where the exemption is granted stating in writing –

- (a) the duration of the exemption;
- (b) any conditions under which the exemption is granted.

(3) The Director General may, when considering an application for an exemption under this regulation –

- (a) have due regard to the practicability of the exemption;
- (b) require the applicant to provide an adequate alternate means of compliance with the provision from which the exemption is sought; and
- (c) carry out a security risk assessment to determine the relevant levels of threat and risk.

(4) The Director General shall publish every exemption granted under these Regulations in a Security Advisory Circular or Aeronautical Information Circular.

Prohibition of other items on aircraft.

79. The Director General may issue a directive prohibiting the carriage of any item by aircraft, including carriage as personal belongings, freight, catering, cargo or mail.

Minister may amend Schedule.

80. The Minister may, by order published in the Gazette, amend the Schedule.

Repeal

81. The Civil Aviation (Security) Regulations 2004 are repealed.

SCHEDULE**[Reg 32 (b)]****REVIEW FEES FOR AVIATION SECURITY PROGRAMMES****1. Applicability**

This Schedule prescribes the fees and charges which are to be paid to the Authority for the review of security programmes, training programmes and materials, quality control programmes, and document amendments as well as certification of various security personnel.

2. Definitions

For the purposes of this Schedule, the definitions in Part I will apply.

3. Acronyms

The following acronyms are used in this Schedule: -

- (1) AVSEC – Aviation Security
- (2) NCASP – National Civil Aviation Security Programme
- (3) OPS – Operations
- (4) PAX – Passenger

4. Initial Review and Approval

The GCAA's Aviation Security Department is tasked with the responsibility for review and approval of all security related programmes. Aviation stakeholders must develop and submit the following documents to the Authority for review and approval before implementing security measures:

- 1) Aviation Security Programme
- 2) Quality Control Programme

Stakeholders providing aviation security training must submit the following document to the Authority for review and approval before implementation:

- 1) Aviation Security Training Programme or Manual
- 2) Aviation Security Training Presentation and Training Modules

A document or programme review fee must be paid to the Authority by the aviation stakeholder for 'initial review and approval' or 'recurrent review and re-approval' of the security programmes or security related documents upon its submission. Table A sets out the fees charged for the 'initial review and approval' or 'recurrent review and re-approval' of Aviation Security Programme or security related document for each type and category of aviation related operation.

Table A. Initial and Recurrent AVSEC Programme Review Fees

ITEM	DOCUMENT OR ACTION	FEE (GUYS)
1.	Airport Security Programme – International Operator	100,000
2.	Airport Security Programme – Domestic Operator	85,000
3.	Heliport Aviation Security Programme	85,000
4.	Aircraft Operator Security Programme – International (Large Passenger Operations)	80,000
5.	Aircraft Operator Security Programme – International (Cargo Operations)	80,000

6.	Cargo Operator/Handler Security Programme	75,000
7.	Aircraft Operator Security Programme – International (Small Passenger Operations)	75,000
8.	Aircraft Operator Security Programme – Domestic Passenger and Cargo Operations	65,000
9.	Aircraft Operator Security Programme (General Aviation, Aerial Works, Helicopter)	50,000
10.	Security Service Provider Security Programme	40,000
11.	Ground Handling Services Provider Security Programme	40,000
12.	Air Traffic Control Services Security Programme	40,000
13.	Catering Service Providers Security Programme	40,000
14.	AVSEC Training Manual/Programme (Inclusive of course slides)	50,000
15.	AVSEC Course Slides (Initial/Advance/Basic/Recurrent); if submitted separately	50,000
16.	Screeener's Certification Programme (Airport, Aircraft & Cargo Operators)	50,000
17.	Screeener's Certification Programme - Catering Operators only	50,000
18.	Quality Control Programme/Manual (for all Stakeholders)	50,000

5. Fees for Recurrent Reviews and Approvals

Recurrent reviews of security programmes or security related documents are required triennially in accordance with the National Civil Aviation Security Programme and National Civil Aviation Security Training Programme. This means that stakeholders are required to re-submit an updated or revised version of their programme. This process ensures that the Aviation Security Programmes remain current and up to date with the new measures and requirements for implementation.

The revised version may encompass changes which are needed to ensure that ICAO's standards and recommended practices, and new Security Directives and requirements are considered to mitigate new and emerging threats to civil aviation. The increase or decrease in operations and change in organizational structure must also be reflected in the updated programmes. Hence, a document or programme review fee must also be paid to the GCAA by the respective aviation stakeholders for recurrent review and approval of the security programmes or related manuals. Therefore, the fees in Table A are also applicable to recurrent reviews and approvals of Aviation Security Programmes and related documents for each type and category of aviation related operation.

The amendments made by stakeholders to their Aviation Security Programmes, Training Programmes and other documents must also be submitted to the Authority for review and approval. An amendment may entail a small change, or a significant change made to one or more sections of a document.

A "Review of Amendments" fee must also be paid to the GCAA by the respective aviation stakeholder for review and approval of Amendments submitted to update the programmes. Table B sets out the fees charged for the "Review of Amendments" for each type and category of aviation related operation.

TABLE B. Review of Amendments

ITEM	DOCUMENT OR ACTION	FEE (GUYS)
1.	Airport Security Programme – International Operator	25,000
2.	Airport Security Programme – Domestic Operator	20,000
3.	Heliport Aviation Security Programme	20,000
4.	Aircraft Operator Security Programme – International (Large Passenger Operations)	15,000
5.	Aircraft Operator Security Programme – International (Cargo Operations)	15,000
6.	Cargo Operator/Handler Security Programme	15,000
7.	Aircraft Operator Security Programme – International (Small Passenger Operations)	15,000
8.	Aircraft Operator Security Programme – Domestic Passenger and Cargo Operations	15,000
9.	Aircraft Operator Security Programme (General Aviation, Aerial Works, Helicopter)	15,000
10.	Security Service Provider Security Programme	10,000

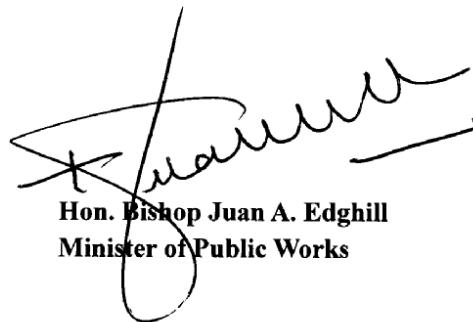
11.	Ground Handling Services Provider Security Programme	10,000
12.	Air Traffic Control Services Security Programme	10,000
13.	Catering Service Providers Security Programme	10,000
14.	AVSEC Training Manual/Programme (Inclusive of course slides)	25,000
15.	AVSEC Course Slides (Initial/Advance/Basic/Recurrent); if submitted separately	20,000
16.	Screener's Certification Programme (Airport, Aircraft & Cargo Operators)	25,000
17.	Screener's Certification Programme - Catering Operators only	15,000
18.	Quality Control Programme/Manual (for all Stakeholders)	25,000

The requisite fee must be paid to the GCAA by Applicants who have met the criteria in accordance with the NCASP and the NCASTP to be approved as instructors authorized to conduct Aviation Security or related training. Table C sets out the fees charged for the category of instructors, namely an initial provisional approval issued for a six (6) months period, and an instructor approval issued for longer than six months once the requisite criteria are met.

TABLE C. Instructors

ITEM	DOCUMENT OR ACTION	FEE (GUY \$)
1.	AVSEC Instructors Approval/Certification	30,000
2.	AVSEC Instructors Provisional Approval (Six Months)	15,000

Made this 3rd day of July, 2025



**Hon. Bishop Juan A. Edghill
Minister of Public Works**