

November 20, 2003

**Position Paper
on
Rationalizing and Harmonizing Security for
On-demand Commercial Operations**

Presented by the
International Business Aviation Council (IBAC)

Summary

Security authorities and the business aviation industry have identified problems with regulatory security provisions for on-demand commercial operations, commonly referred to as air taxi operations. Security rules governing this aviation sector are often not practical or not effective, and generally lack consistency between regulatory regimes. The business aviation industry is promoting rationalization and harmonization of security for on-demand commercial operations worldwide.

This Paper presents an explanation of the issues and encourages adoption of common principles for security rules. An analysis is conducted of ICAO Standards and Recommended Practices (SARPS), the European Commission Framework Regulation and various US Government security regulations, to determine differences from recommended common principles and to recommend appropriate changes.

The business aviation industry is committed to excellence in security programmes through application of quality security standards. Practical and effective security regulations will aid the industry in achieving this objective.

References

1. ICAO Annex 17
2. ICAO Aviation Security Panel draft amendment 11 to Annex 17
3. European Council Regulation 2320/2002
4. Various U. S. government regulations on security

Issue

The ICAO Aviation Security Panel has expressed the need to amend Annex 17 (Security) to incorporate practical and effective security standards for small aircraft on-demand commercial operations (commonly referred to as on-demand charters or air taxi operations).

Furthermore, industry member associations of the International Business Aviation Council (IBAC) are seeking clarification of applicable security regulations published by the European Parliament and the Council of the European Union as they apply to 'Business Aviation – Commercial' operations. Interpretation is also needed regarding the application of certain security regulations promulgated by the US Government.

Principles inherent in aviation security provisions vary widely throughout the world and cry-out for improved consistency. The industry has identified the need for better rationalization and harmonization of security standards worldwide.

Purpose

The purpose of this Paper is to assess, rationalize and encourage harmonized worldwide standards applicable to on-demand commercial operations. Specific proposals are presented for common principles to be adopted by ICAO, the EU and all Member States for harmonization of security rules.

Background

The tragic events of 11 September 2001 triggered intense worldwide activity to improve aviation security. Rule makers and researchers reacted immediately to create new security provisions and design and build better security equipment to satisfy the new rules.

Some of the most significant activity follows. Additional explanatory information on relevant rule making is provided in Appendix B.

a) International Civil Aviation Organization (ICAO)

The immediate recall of the ICAO Aviation Security Panel and a call for a High Level Ministerial Meeting on Aviation Security resulted in extensive amendments being made to the Standards and Recommended Practices (SARPS) for aviation security in Annex 17 to the Chicago Convention.

Ongoing activity by the security panel is targeted at major improvements to the current provisions, including changes that will remove major discrepancies and incorporate provisions for general aviation and aerial work. In addition, new provisions for airport security were added that recognize the need for authorities to assign security responsibilities to private sector entities through Security Programme Zones. ICAO also adopted changes to Annex 6 Part 1 (international air transport operations) applicable to hardened cockpit doors.

b) European Union

The European Parliament and the Council of the European Union published Regulation 2320/20 in the Official Journal on 30 December 2002. The Framework Regulation came into force 19 January 2003, establishing common rules in the field of civil aviation security and incorporating detailed common standards. The Regulation is binding for all EU Member States.

c) The Government of the United States

The US government imposed immediate widespread measures by the Federal Aviation Administration followed with more specific rules established by the Transportation Security Administration (TSA).

Some relevant provisions are:

- i) Notam severely restricting operations of foreign private aircraft operating into the US, and US aircraft departing the country.
- ii) Rules for commercial operations of aircraft of Gross Take Off Weight (GTOW) of 12,500 pounds and greater.
- iii) Rules for private charters using aircraft with GTOW greater than 45,500 kilograms (or 100,309.3 pounds).
- iv) Rules for threat assessment of alien holders and applicants for FAA certificates, and similar rules for US citizens.
- v) Airport Tenant Security Provisions.
- vi) Extensive airspace restrictions imposed through Temporary Flight Restrictions.

During deliberations by the ICAO Aviation Security Panel in drafting amendments to Annex 17 that incorporate new general aviation provisions, members of the Security Panel expressed concern that Annex 17 standards were not practical for small commercial air taxi operations. Members agreed that security provisions as specified in Annex 17 and its proposed amendments would be unacceptably costly for contracting States. The Security Panel agreed that this issue must be resolved in the next Annex 17 amendment (Amendment 11, planned to be sent to the ICAO Council for approval early in 2004).

In a related matter, members of the International Business Aviation Council (IBAC) identified a potential problem with EC Regulation 2320/2002 application of security provisions for 'business aviation – commercial' operations, and how EU Member States might interpret certain common standards.

Similarly, a review of US rules indicates that the principles for rule making for air taxi operations is not aligned with ICAO and EC requirements, with the focus being more on the operator and less on the airport.

As a result of the concerns of the ICAO Aviation Security Panel and the problem with respect to differences in security standards worldwide, the International Business Aviation Council is promoting rationalization and harmonization of principles for security rules worldwide.

This Paper builds on previous positions on general aviation security submitted by IBAC and the International Aircraft Owners and Pilots Associations (IAOPA) and accepted by the ICAO Aviation Security Panel. A summary of the security provisions for general aviation is provided in Appendix B for reference.

This Paper assesses rules established by each of the three major rule-making bodies in an attempt to show how rationalization and harmonization can provide for more effective worldwide aviation security.

Scope

This Paper does not apply to general aviation (including corporate aviation and 'business aviation-owner operated') as previous Papers dealt successfully with the issue. ICAO is in the process of amending Annex 17 and the EC has provided clarification regarding the Framework Regulations.

Most of business aviation is conducted in accordance with general aviation rules (non-commercial). However, some flight departments have for various reasons chosen to operate aircraft under commercial rules, or a combination of general aviation and commercial rules depending on the purpose of the flight. Reasons for doing so are varied, such as tax laws, importation requirements, local access constraints, insurance, State rules for operating aircraft and company policy. 'Business aviation – commercial' operations are generally not scheduled, not publicly available and not for remuneration or hire. In other words, the operations could be non-commercial under most regulatory regimes.

Many corporations use small aircraft on-demand charter companies extensively to move personnel for business purposes, often referred to as air taxi services. These are also considered as 'business aviation – commercial' operations. See Appendix A for a definition of 'Business Aviation – Commercial'.

Various definitions of on-demand commercial operations and air taxi operations are included in Appendix A. Given the differences worldwide in how air taxis are defined, this Paper will focus on 'on-demand' commercial operations and will make recommendations related to a range of aircraft sizes and configurations.

Need for Common Principles

Effective aviation security demands balanced and systematic management. Security provisions should be dependent on the degree of threat, using accepted risk management principles. Application of one standard to all types of aviation operations would be prohibitively expensive for States and would take away from the critical 'concentration of effort' applied to larger threats. Security standards must be designed

to fit the operation and the level of risk. The rules must be practical and they must be effective.

The level of security risk associated with a large air transport publicly available aircraft is considerably greater than that of a small private aircraft operated by the owner in a remote area. The range of risk varies between these two extremes in an industry that is very large and complex. Security will be most effective if provisions are designed to match the risk.

Security for large commercial aircraft has been addressed widely by regulatory authorities. New provisions drafted in Annex 17 provide for general aviation security. However, there is now need to determine what security provisions should apply to smaller aircraft used in on-demand commercial operations.

Given the wide differences that now exist in State regulations, the development of harmonized security rules would be facilitated if consensus could be gained for common principles. These common principles could then be used by each regulatory authority to refine national or regional regulations.

The following principles are recommended for security in on-demand commercial operations.

Recommended Principles for Security of On-demand Operations

General

- Security provisions must be appropriate to the level of security risk, with the risk dependent on many parameters but generally increasing with the capacity and size of the aircraft.
- Pilots, aircraft owners/operators and facility operators must assume a greater responsibility for security.
- Screening by State security authorities is to be conducted at designated commercial terminals where threat levels warrant [designated Security Restricted Areas (SRAs)].
- Security outside SRAs is the responsibility of the airport authority and/or private operator of facilities.

Layers of Responsibility

- Layers of responsibility must be clear, with security generally provided by:
 - 1) State security authorities – in an SRA
 - 2) Private sector operator – designated facilities
 - 3) Airport authority/operator – airport perimeter.

Security Restricted Areas

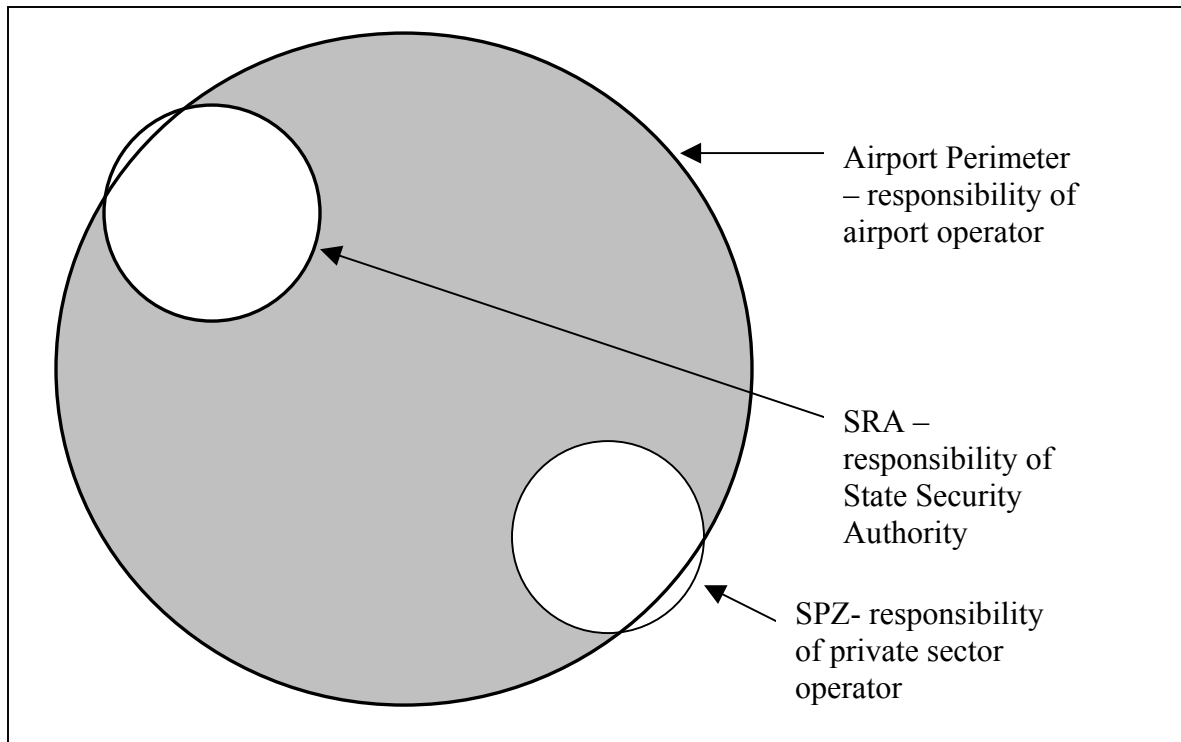
- Security Restricted Areas (sterile areas) are to be established when screening by security authorities is required. The SRA must be clearly separated from areas not included in the SRA.
- The principle of “separation of passengers” is to be applied so that passengers in an SRA do not mix with passengers from outside an SRA.

Operator Security

- All commercial operators must have a security programme commensurate with the level of threat, and designated as:
 - 1) Small capacity aircraft (19 passengers and less) – programme developed in accordance with industry standards and registered with State authorities.
 - 2) Medium capacity aircraft (20 to 60 passengers) – programme approved by the State authorities.
 - 3) Large capacity aircraft (45,500 kgs or 61 passengers and greater) – programme approved by the State and requiring screening by the operator when passengers are embarked in an area outside an SRA.

Private Facility Security

- Facilities outside SRAs serving commercial services must establish a security programme in accordance with industry standards.



ICAO SARPS Applicable to On-demand Commercial Operations

Analysis of ICAO Annex 17

The ICAO Aviation Security Panel identified a problem with current and proposed provisions in Annex 17 that require screening of all passengers and baggage boarding all commercial flights. As written, certified screeners would be required for even the smallest of the taxi operations such as floatplane charters to fish camps, small air taxi operations in remote areas and other small commercial operations where the security threat might be very low.

Security Panel members considered this to be impractical and with little security value. The cost to Member States to implement such requirements would be extremely high and would place unacceptable operational constraints on air taxi operators.

Proposals for Amending Annex 17

Resolution of the problem demands a balanced approach based on application of sound risk management principles. Security authorities must have the flexibility to require screening where threat levels warrant, yet allow more realistic and practical procedures to be used when risk levels are low.

Changes to Annex 17 are required to align it with recommended common principles as follows:

- Security Restricted Areas (sterile areas) are to be established when screening by security authorities is required. On larger airports, the SRA must be clearly separated from areas not included in the SRA.
- Passengers not screened must be separated from screened passengers at both departure and arrival (principle of passenger separation).
- When the principle of 'passenger separation' is not possible, passengers of air taxi operations must be screened.

The current draft wording of Amendment 11 to Annex 17 is as follows:

4.3.1 Each contracting state shall establish measures to ensure that originating passengers of commercial flights and their cabin baggage are screened prior to boarding an aircraft.

The problem can be resolved by giving contracting states greater flexibility in determining when screening is necessary, dependent on the security threat. This can be accomplished by changing the wording of this provision to:

4.3.1 Each contracting state shall establish measures to ensure that originating passengers boarded through a Security Restricted Area and their cabin baggage are screened prior to boarding an aircraft.

This provision is consistent with EC 2320/2002.

It would also be necessary to clarify to States that the proposed Amendment 11 to ICAO Annex 17 S 4.7.1 stipulate that Security Restricted Areas are to be established only at designated airports where threat levels warrant. It should be further clarified that SRAs are not necessary on the general aviation side of an airport if it is clearly separated physically from a commercial air terminal where an SRA is established.

This solution provides flexibility to Contracting States in that for areas of low risk a costly SRA would not be necessary. A further addition to Annex 17 is recommended to align it with provisions in EC 2320/2002 regarding 'separation of passengers'.

New S. 4.7.8

4.7.8 Each contracting state shall ensure that arriving passengers on an aircraft that departed outside a Security Restricted Area do not mix with passengers within a Security Restricted Area.

EC Regulation 2320/2002 Applicable to On-demand Commercial Operations

Analysis of EC 2320/2002

Screening requirements of passengers and baggage as required by EC 2320/2002 are managed through establishing and controlling access to Security Restricted Areas. Where an SRA is established, screening is required. Where an SRA is not established, screening is not required.

EC 2320/2002 requires "separation of passengers", meaning that the departing screened passengers shall not mix with arriving unscreened passengers.

Security Restricted Areas are required to be established at all airports "open to commercial traffic". However, the regulation is not clear regarding where on the airport the SRA is to be established. For example, it is not clear if general aviation areas on an airport, which may from time to time serve commercial operations, are to be excluded from the SRA, although this is implied by the following provision:

S 11.1 (1.)

General aviation aircraft at airports shall not be parked in close proximity to aircraft which are used for commercial flights in order to avoid breach of security measures ...

Further, S 11.1 (2.) requires that:

(b) if possible, departing and arriving occupants of general aviation aircraft shall pass through a separate general aviation terminal and, also, when embarking or disembarking on the apron, shall either be separated from the security screened

passengers, or be transported in a special bus or car, or be under constant surveillance.

EC 2320/2002 also provides an option to select an alternate level of protection at small airports (Note: includes general aviation only airports, or airports with an average of 2 commercial flights per day, or airports serving commercial flights with aircraft less than 10 tonnes or 20 seats). Although not clear, it is presumed that this means that a Security Restricted Area is not necessary at these airports, but the Member State would have to provide some other undefined level of security as outlined in its State security programme.

A problem that is more specific to Europe is that a large number of business aviation flight departments have commercial AOCs. Therefore, with the current wording of EC 2320, an unrealistic number of airports would require an SRA. This would be very costly with little security value; it is believed that this was not the intent when the rule was drafted.

Screening in EC 2320/2002 means technical or other means to identify prohibited articles. Unlike the ICAO standard, it does not stipulate that screeners must be certified.

In conclusion, EC 2320/2002 appears to establish the principle that security screening should be dependent upon risk. The regulation is clear regarding general aviation and the principle of "separation of passengers". What is not clear is how Security Restricted Areas would be established and if there is scope for conducting general aviation and/or small commercial aircraft operations from a separate general aviation terminal at larger 'commercial' airports (as implied in S.11.1 (2.) (b)).

Proposals for clarifying EC 2320/2002

Although the presumed principles inherent in EC 2320/2002 are logical, there remains potential for misinterpretation by EU Member States. This could be clarified with guidelines provided through a directive promoting the following principles:

- EC security regulations will be updated from time to time to reflect new provisions in ICAO Annex 17 (consistent with Article 1 of EC 2320/2002, S.2).
- Security Restricted Areas are to be established at terminals serving large aircraft commercial operations, or where the threat level warrants.
- Where SRAs are not established, such as the general aviation areas of large airports or at general aviation airports, private sector entities are to assume greater responsibility and are to establish self managed security programmes (Security Programme Zones per draft amendment to Annex 17).
- Commercial operators are to maintain a security programme.

To achieve harmonization of the EC Regulation to the proposed changes to ICAO Annex 17, the following may be necessary:

- a) Amend the Regulation or add specific implementing legislation by the Committee Procedure, or, if it is interpreted that the current regulation is aligned, to clarify that SRAs are normally established at the main terminal of airports open to commercial air transport.
- b) Clarify that other facilities such as FBOs, training organizations, general aviation and small commercial terminals at airports need not be designated as an SRA, dependent on an assessment of the risks. Security responsibility at facilities other than large commercial terminals at airports open to commercial operations is to be assigned to the facility operator.
- c) Amend EC 2320/2002, or specific implementing legislation, to require operators of all commercial air transport operations to establish and maintain a security programme.

U. S. Regulations Applicable to On-demand Commercial Operations

Analysis of Regulations

Unlike the ICAO SARPs and the EC Framework Regulation, the US regulations are focused more on operator requirements. The TFSSP (Twelve-Five Standard Security Program) requires commercial operators of aircraft with GTOW of 12,500 pounds (5,700 kilograms) and greater to have a security programme and to conduct background checks on certain personnel. Security checks need not be done by authorities, as responsibility can be assumed by the company (This seems clear in the regulation but is not seen this way by all security officials). The next higher level of regulation is the Private Charter rule, which requires screening by certified screeners for all private charter operations of aircraft over 45,500 kilograms (100,309.3 pounds).

The US is considering a new provision for issuing a Certificate to qualified operators to permit access to certain security sensitive locations such as Washington's Regan Airport (TSAAC).

The US also has a regulation that provides for airport tenants to establish security programmes. This regulation is generally aligned with the draft ICAO Annex 17 provisions for "Security Programme Zones", within which tenants are responsible for security in and around their facility. We have been advised that although this regulation is in place, the TSA has yet to apply the regulations to any site.

A significant issue in the US is the indiscriminant implementation of local security provisions by airport and municipal authorities, leading to a patchwork of un-harmonized security procedures and requirements. Furthermore, many Temporary Flight Restriction (TFR) zones have been imposed, restricting access to certain operators.

It is unclear how a determination is made in the US regarding when and where a sterile area (Security Restricted Area) is to be established. However, it appears that the sterile areas are being established only at large commercial air transport terminals, leaving the

FBOs and smaller commercial terminals to be managed through the Airport Tenants Security Programme regulation.

Proposals to rationalize and harmonize US requirements for on-demand commercial operations

Alignment with international standards can be achieved by recognizing the following principles.

- Sterile area's to be established at large commercial terminals where the threat levels warrant.
- At FBOs, training establishments and small commercial terminals, security responsibility to be assigned to the facility operator (Airport Tenants Security Programmes regulations).
- Commercial operators are to establish operator security programmes consistent with ICAO SARPs.

If the objective of consistency with international standards is to be achieved, the regulations will require adjustment to incorporate provision for Security Programme Zones, which are compatible with the tenants' regulations. Small aircraft on-demand commercial operations (including those with aircraft below 12,500 lbs) will require security programmes to be established pursuant to a recognized industry standard, but will not require "approval".

Guidelines are required to determine when and where sterile area's (SRAs) and security programmes are to be established based on a threat assessment.

Conclusion

Agreement on 'common principles' for security of on-demand commercial operations is critically important to achieving success in rationalizing and harmonizing security rules worldwide. The following principles are recommended:

Recommended Principles for Security of On-demand Operations

General

- Security provisions must be appropriate to the level of security threat, with the risk dependent on many parameters but generally increasing as the capacity and size of the aircraft increases.
- Pilots, aircraft owners/operators and facility operators must assume a greater responsibility for security.
- Screening by State security authorities is to be conducted at designated commercial terminals where threat levels warrant [designated Security Restricted Areas (SRAs)].

- Security outside SRAs is the responsibility of the airport authority and/or private operator of facilities.

Layers of Responsibility

- Layers of responsibility must be clear, with security generally provided by:
 - 1) State security authorities – in an SRA
 - 2) Private sector operator – designated facilities
 - 3) Airport authority/operator – airport perimeter.

Security Restricted Areas

- Security Restricted Areas (sterile areas) are to be established when screening by security authorities is required. The SRA must be clearly separated from areas not included in the SRA.
- The principle of “separation of passengers” is to be applied so that passengers in an SRA do not mix with passengers from outside an SRA.

Operator Security

- All commercial operators must have a security programme commensurate with the level of threat, and designated as:
 - 1) Small capacity aircraft (19 passenger seats and less) – programme developed in accordance with industry standards and registered with State authorities.
 - 2) Medium capacity aircraft (20 to 60 passenger seats) – programme approved by the State authorities.
 - 3) Large capacity aircraft (45,500 Kgs or 61 passenger seats and greater) – programme approved by the State and requiring screening by the operator when passengers are embarked in an area outside an SRA..

Private Facility Security

- Facilities outside SRAs serving commercial services must establish a security programme in accordance with industry standards.

If the principles are acceptable, the following changes would be appropriate for the relevant regulatory regimes:

a) ICAO Annex 17

Change the draft Amendment 11 of Annex 17 to:

- i) Require screening of all passengers embarked through a Security Restricted Area.
- ii) Incorporate principle of ‘separation of passengers’.

- iii) Review draft of standard requiring all operators to have a written security programme (S 3.3.1) to determine if it should be more specific, as recommended in the common principles for operators in this Paper.

- b) EC Regulation 2320/2002
 - i) Clarify the requirement regarding where an SRA is to be established and ensure security authorities have flexibility to establish SRAs at only the principal commercial terminal at airports open to commercial operations.
 - ii) Incorporate into Regulation 2320/2002 the requirement for commercial operators to have a security programme.

- c) US Government Regulations
 - i) Clarify where sterile areas are required and clarify that on other areas a security programme may be designated as a requirement by security authorities.
 - ii) Amend regulations to require a security programme for commercial operators of aircraft weighing less than 12,500 lbs.

The business aviation industry is committed to improving aviation security through application of practical and effective security standards.

Appendix A Definitions

Air Taxi Definitions

ICAO Description of Air Taxi Service

- i) a type of on-demand air service usually performed by small capacity aircraft on short notice in a very similar way to an automobile taxi service; or
- ii) in some cases, a service operated on a scheduled basis with stops made only at points where passengers and cargo are to be picked up or discharged.

FAA Definition of Air Taxi

Carrying passengers or cargo for hire or compensation using small aircraft (30 seats or less) under 14 CFR 135.

Business Aviation Definitions

Business Aviation (IBAC)

That sector of aviation which concerns the operation or use of aircraft by companies for the carriage of passengers or goods as an aid to the conduct of their business, flown for purposes generally considered not for public hire and piloted by individuals having, at the minimum, a valid commercial pilot license with an instrument rating.

Sub-division 1 – Business Aviation – Commercial

The commercial operation or use of aircraft by companies for the carriage of passenger or goods as an aid to the conduct of their business and the availability of the aircraft for whole aircraft charter, flown by a professional pilot(s) employed to fly the aircraft.

Sub-Division 2 - Business Aviation – Corporate

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(s) employed to fly the aircraft.

Sub-Division 3 - Business Aviation – Owner Operated

The non-commercial operation or use of aircraft by an individual for the carriage of passengers or goods as an aid to the conduct of his/her business.

On Demand Commercial Operations

On-demand operation in US FARs means any operation for compensation or hire that is one of the following:

- (1) Passenger-carrying operations conducted as a public charter under part 380 of this title or any operations in which the departure time, departure location, and arrival

location are specifically negotiated with the customer or the customer's representative that are any of the following types of operations:

(i) Common carriage operations conducted with airplanes, including turbojet-powered airplanes, having a passenger-seat configuration of 30 seats or fewer, excluding each crewmember seat, and a payload capacity of 7,500 pounds or less, except that operations using a specific airplane that is also used in domestic or flag operations and that is so listed in the operations specifications as required by § 119.49(a)(4) for those operations are considered supplemental operations;

(ii) Noncommon or private carriage operations conducted with airplanes having a passenger-seat configuration of less than 20 seats, excluding each crewmember seat, and a payload capacity of less than 6,000 pounds; or

(iii) Any rotorcraft operation.

(2) Scheduled passenger-carrying operations conducted with one of the following types of aircraft with a frequency of operations of less than five round trips per week on at least one route between two or more points according to the published flight schedules:

(i) Airplanes, other than turbojet powered airplanes, having a maximum passenger-seat configuration of 9 seats or less, excluding each crewmember seat, and a maximum payload capacity of 7,500 pounds or less; or

(ii) Rotorcraft.

(3) All-cargo operations conducted with airplanes having a payload capacity of 7,500 pounds or less, or with rotorcraft.

(Noncommon carriage means an aircraft operation for compensation or hire that does not involve a holding out to others.)

Appendix B

New Annex 17 provisions for general aviation

The ICAO Aviation Security Panel accepted proposed changes to Annex 17 applicable to general aviation, including business aviation and aerial work.

Principles behind general aviation provisions in Annex 17

- Security in general aviation operations is to be proportional to the threat
- The general aviation community is to assume increased responsibility for aviation security.
- The pilot in command is to be given responsibility for security of the aircraft, as he/she is now given for safety of the aircraft.
- Security at private sector facilities must be assumed by the facility operator.
- Passengers of aircraft embarked outside Security Restricted Areas must not be mixed with passengers within an SRA (principle of passenger separation).
- Security at private facilities, including FBOs, must be enhanced through security programmes, the guidelines for which should be published in the ICAO Security Manual.

The new provisions incorporated into Amendment 11 of Annex 17 include:

- Corporate aviation operators using aircraft with GTOW greater than 5,700 kilograms (as 12,500 pounds) must have a security programme pursuant to an accepted industry standard.
- Security of smaller general aviation aircraft are to be in accordance with a threat analysis conducted pursuant to state security programmes.
- Establishment of an intermediate security level, to supplement SRAs, called Security Programme Zones, with responsibility for security in the Zones assigned to the operator of the facility.

Attachment C Relevant Security Rules

ICAO Annex 17 (Security)

Standards and Recommended Practices (SARPs) provide the basis for States to create regulations, which are necessary to achieve worldwide harmonization. Annex 17 contains the standards and recommended practices for aviation security. Although significant changes were made subsequent to September 11, 2001, it still contains many discrepancies applicable to general aviation. However, the ICAO Aviation Security Panel has agreed to incorporate industry recommendations into an amendment. A final decision on Amendment 11 is not likely before the end of 2003.

ICAO Annex 6, Part 1, requiring hardened cockpit doors

This SARP applies to international air transport operations. The standard requires restricting access to the cockpit through hardened and locked cockpit doors on commercial aircraft with GTO W > 45,500 kilograms (100,309.3 pounds), or 61 or more seats.

EC Regulation 2320/2002

The common rule was published 30 December 2002 and came into force 19 January 2003. The regulation focuses on security at airports open to air transport operations (commercial) through establishment of Security Restriction Areas. The common standards incorporated by the regulation are generally sound as regards the application to general aviation, but there is potential for a misinterpretation by EU Member States.

US Regulation on Aircraft Security Under General Operations and Flight Rules (49 CFR Chapter XII, Part 1550)

This regulation applies to operations for which no other security provisions apply. It gives authority to the TSA to inspect. Procedures are provided for operations in a "sterile area" by operators without a 'programme'.

US Regulation on Security Programmes for Aircraft 12,500 pounds or More (CFR Chapter XII, Part 1544)

The Regulation became effective 1 February 2003. Operators of aircraft of 12,500 pounds and more are to implement a 12-5 security programme and background checks are required of all employees. The regulation applies to commercial operations only.

US regulations on Aircraft Operator Security: Air Carriers and Commercial Operators (Private Charter Security Rule) 49 CFR Chapter XII, Part 1544.

This regulation applies to private charter operators of aircraft greater than 45,500 kilograms (100,309.3 pounds) GTOW, or seating for 61 or more passengers. The

regulation applies to commercial operators and requires passengers and baggage to be screened prior to boarding.

**US regulations for
Airports Tenants Security Programmes (49 CFR Chapter XII, Part 1542)**

The Airport Tenant Security Programme is similar to the industry proposed Security Programme Zone as drafted in the Amendment 11 of Annex 17.

**US Regulations on
Threat Assessment Regarding Alien Holders of, and Applicants for, FAA
Certificates (49 CFR Chapter XII, Part 1540)**

These rules govern the requirement of TSA to notify an individual that he/she poses a security threat. The regulations apply to individuals rather than organizations.

**FAA Notam on
Special Security Instructions (14 CFR Sec 99.7)
FDC 2/5128 FDC Special Notice. IFR Operations in the US**

This Notam restricts foreign private operations into the US and applies to all non-US private aircraft except those registered in Canada and Mexico.

TSA TSAAC Proposal

A proposal is being considered by the TSA to permit operators that have introduced security protocols and have obtained a TSA Authorization Certificate (TSAAC) to access airports that have otherwise been restricted by a TFR.