

Description

This part outlines the requirements which must be met to establish a DGCA approved security programme.

How organisation can establish domestic and international security programmes.

How flight security clearances are obtained.

The training and assessing of security personnel; and

Security violation incidents reporting.

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Subpart A General

108.1 Applicability

This Part sets out the regulations pertinent to air operator security programmes .

108.3 Definitions

In this Part, unless the context otherwise requires;

Air operator: means a person or organisation offering or operating a regular commercial air transport passenger service.

Subpart B — Air Operator Security Programme Requirements

108.5 Air operator security programme

Each air operator security programme shall contain;

- (1) Where any work relating to compliance with this Part is intended to be sourced out to any other Organisation, the contractual provisions by which the applicant for an air operator competency certificate or a foreign air operator competency certificate ensures that any such contractor or agent complies with; this and other parts of these regulations, all other civil and criminal acts legislated in Libya, and the requirements of the applicant's air operator's exposition; and
- (2) Details of the persons responsible for the training of personnel in accordance with the procedures required by 108.59; and
- (3) Details of the procedures required by;
 - (i) 108.53 regarding domestic security requirements; and
 - (ii) 108.55 regarding international security requirements; and

- (iii) 108.57 regarding the clearance of aircraft flights; and
- (iv) 108.59 regarding the training of personnel; and
- (v) 108.61 regarding incident notification and reporting.

108.7 Security requirements – domestic

(a) An air operator security programme for a domestic commercial air transport passenger service; shall have security procedures for flights within Libya to safeguard passengers, crewmembers, ground personnel, aircraft, and facilities, against acts of unlawful interference.

(b) The security procedures shall detail the means by which;

- (1) The requirements regarding the carriage of firearms on board an aircraft; and
- (2) Minimise danger to the air operator's passengers, crewmembers, and ground personnel in the event of a hijacking, bomb threat, or any other threat of unlawful interference; and
- (3) Access to unattended aircraft is controlled at all times to prevent unlawful interference with such aircraft; and
- (4) Control access to security areas of security designated aerodromes and operational areas at other aerodromes within Libya, through the air operator's facilities or any other access used by the air operator for passengers, personnel, baggage, cargo, freight, or aircraft supplies is controlled; and
- (5) Baggage, cargo, courier, express parcels and mail intended for carriage by an aircraft are subjected to stringent security controls to prevent the introduction of any weapon, substance, or other device which may be used to commit an act of unlawful interference; and

- (6) The safe conduct of any flight is achieved and the pilot-in-command notified, where one or more persons on board are required to travel because they are in legal custody, or subject to other judicial or administrative proceedings, whether or not they are required to be escorted; and
 - (7) The risk arising from baggage on board any aircraft belonging to a passenger who has failed to turn up for boarding, is assessed by the air operator security personnel and the pilot-in-command, before deciding whether the baggage is allowed to remain onboard the flight; and
 - (8) All passengers and crewmembers (crewmembers screening shall be conducted inside separate offices or enclosures away from the public) and their carry-on baggage are subject to security screening by, or under the direct supervision of, the operator's security program, or the holder of an aviation security service certificate issued in accordance with Part 140, when the DGCA requires passenger, crewmember, and baggage screening for a flight.
- (c) The procedures required by paragraph (b)(6) shall include procedures to ensure, in relation to the carriage of any person in the custody of the law on a regular commercial air transport passenger service, that;
- (1) The person is escorted by law enforcement agents; and
 - (2) The escort confirms that the person is not carrying any item that may be used as a weapon; and
 - (3) The escort is equipped with adequate devices for restraining the person in custody; and
 - (4) The pilot-in-command and senior flight attendant are notified of the location of, and the security arrangements for, the person in custody; and
 - (5) Procedures for boarding, disembarking, and treatment of persons in the custody of the law, and their escorts shall be succinctly adhered; and

- (6) Metal utensils are not provided for the person in the custody of the law; and
- (7) No more than one person in custody of the law is carried on an aircraft with a certificated seating capacity of less than 30 seats and no more than one additional person in custody of the law is carried for every additional 25 seats of the certified seating capacity.

108.9 Security requirements – international

(a) An air operator security programme for an international commercial air transport passenger service shall have security procedures for flights within or from Libya to safeguard passengers, crewmember, ground personnel, aircraft, and facilities, against acts of unlawful interference.

(b) The security procedures shall detail the means by which;

- (1) The requirements are met, regarding the carriage of firearms on board an aircraft; and
- (2) Minimise danger to the air operator's passengers, crewmembers, and ground personnel in the event of a hijacking, bomb threat, or any other threat of unlawful interference; and
- (3) Access to unattended aircraft is controlled at all times to prevent unlawful interference with such aircraft; and
- (4) Control access to security areas of designated aerodromes and operational areas at other aerodromes within Libya, through the air operator's facilities or any other access used by the air operator for passengers, personnel, baggage, cargo, freight, or aircraft supplies; and
- (5) Temporary security measures are implemented to upgrade the security of the air operator's services from Libya, where the DGCA finds or suspects an increased level of security risk to any person onboard an aircraft, any aircraft or aerodrome in the Jamahyria; and

- (6) Cargo, courier, express parcels and mail intended for carriage on an aircraft are subjected to stringent security controls to prevent the introduction of any weapon, substance, or other device which may be used to commit an act of unlawful interference; and
- (7) The safe conduct of any flight is achieved and the pilot-in-command notified, where one or more persons on board are required to travel while in the custody of the law, or subject to other judicial or administrative proceedings, whether or not they are required to be escorted; and
- (8) Transit and transfer passengers and their cabin baggage are controlled to prevent unauthorised articles being taken on board the flight; and
- (9) Where the flight is under an increased level of threat of an act of unlawful interference, disembarking passengers should not leave items on board the aircraft; and
- (10) All cargo, baggage, mail, aircraft supplies, stores, and air operator's supplies being moved within an airport and intended for carriage on an aircraft are protected against the introduction of any weapons, explosives, or any other dangerous devices which may be used to commit an act of unlawful interference; and
- (11) Consignments of packages other than air cargo or mail intended for carriage onboard an aircraft, whether unaccompanied or using commercial courier services, are subjected to security screening; and
- (12) All passengers boarding any aircraft are subjected to screening before the aircraft departs. For aircraft operating from Libya; the screening shall be conducted according to these regulations, under the operator's security programme; or the holder of an aviation security service certificate, For a Libyan registered aircraft operating from aerodromes outside Libya, the screening shall be conducted by an organisation acceptable to the authorities of the state of the aerodrome of departure; and

- (13) The baggage belonging to passengers who fail to turn up for boarding must not be loaded onboard the aircraft, if the baggage cannot be subjected to effective security screening; and
 - (14) Pre-flight checks of originating aircraft are undertaken, to discover suspicious objects or anomalies which could conceal weapons, explosives or any other dangerous devices; and
 - (15) Protection is provided for baggage from the point where it is checked in until it is placed on board an aircraft, where that baggage is intended for carriage on passenger flights and has originated from places other than the airport check-in counters.
- (c) The procedures required by paragraph (b)(7) shall include procedures to ensure, in relation to the carriage of any person in the custody of the law on an air transport passenger service, that;
- (1) The person is escorted
 - (2) The escort agents shall ascertain that the person in custody is not carrying any item that may be used as a weapon; and
 - (3) The escort is equipped with adequate devices for restraining the person; and
 - (4) The pilot-in-command and senior flight attendant are notified of the location of, and the security arrangements for, the person in custody of the law; and
 - (5) Alcoholic beverages are not served to the persons in custody of the law or their escort; and
 - (6) Metal utensils are not provided for the person's use; and
 - (7) No more than one person in custody is carried on an aircraft with a capacity of 30 installed passenger seats, and no more than one additional person in custody is carried for every additional 25 installed passenger seats.

(d) Where a domestic air operator accepts passenger or baggage check-in on behalf of an international air operator, or for transshipment for carriage on an international commercial air transport passenger service, the international air operator shall ensure that the domestic air operator complies with the international air operator's security programme.

108. 11 Security clearance of flights

An air operator security programme shall have a procedure to ensure that the security programme applicable to the flight is complied with before an aircraft is permitted to depart on an air transport flight from any Libyan aerodrome.

108. 13 Training of personnel

An air operator security programme shall have a procedure to ensure that;

- (1) Personnel charged with security screening of the passengers; checked baggage; freight and aircraft supplies are given sufficient training: initial and recurrent to qualify them to carryout their duties with diligence and professionalism, without disturbing flight procedures: causing any delay to flight schedules or interference with the duties of other personnel; and
- (2) An Air Operator shall make sure that the particulars of security programme and security procedures detailed in the operator's exposition reach all other personnel employed in the maintenance; servicing of the aircraft and everyone who has any connection to planning or operating of any flights.

108. 15 Incident notification

Every air operator security programme shall have a procedure for notifying, and reporting, any security incident involving the air operator's aircraft to the operator's safety and security department; if no such department exists; then to the responsible director, notification shall be in the form of a report, copy of which should be sent the DGCA in accordance with Part 12.