National Civil Aviation Security Quality Control Programme for the United Kingdom Overseas Territories of

Anguilla
Bermuda
British Virgin Islands
Cayman Islands
Falkland Islands
Montserrat
St. Helena
Turks and Caicos Islands

Issue 2
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Foreword

Annex 17 to the Chicago Convention (effective April 2017) sets the standards for a National Civil Aviation Security Quality Control Programme (NCASQCP), placing the responsibility on all contracting States to implement such a programme. For the purposes of the Convention, the Overseas Territories (OTs) are an integral part of the United Kingdom (UK). The UK has established legislation dealing with civil aviation in the OTs. Within the UK OTs the Governor is the appointed representative of the UK and has specific responsibilities for fulfilling the obligations of the UK as defined in the Convention on International Civil Aviation. In this regard, the Air Navigation (Overseas Territory) Order 2013 has been made and sets out the provisions to enable the UK to comply with the Convention on International Civil Aviation (the Convention) and, in particular, the Annexes to that Convention in the OTs.

The Governor discharges his responsibilities through the designation of Air Safety Support International (ASSI) for Annex 17. ASSI aims to improve the effectiveness of regulatory and oversight programmes to support effective compliance with the requirements of Annex 17.

The nature of the civil aviation across the UK OTs varies in the type and scale of operations. Due to the differences geographically, there are many regional influences and relationships that differ from the UK and Europe. Notably the UK OTs are not part of the European Union and so do not adopt European Union aviation security regulations. Therefore, although the UK OTs form part of the overall UK NCASQCP, it is more practicable to devise a separate NCASQCP for the OTs to address the aviation security needs of their civil aviation. This document therefore describes the National Civil Aviation Security Quality Control Programme for Anguilla, Bermuda, British Virgin Islands, Cayman Islands, Falkland Islands, Montserrat, St Helena and Turks and Caicos Islands.

ASSI’s focus is on evolving and building a NCASQCP for the OTs which properly reflect Annex 17. I would welcome any comments on this document to be sent for my attention at enquiries@airsafety.aero.

Maria Boyle
CEO
Air Safety Support International
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A. INTRODUCTION

1. Purpose

This programme constitutes the National Civil Aviation Security Quality Control Programme (NCASQCP), for each of the UK Overseas Territories (OTs) listed below, in compliance with the requirements of ICAO Annex 17.

2. Designated authority

(a) Governors of the OTs are responsible for the effectiveness of aviation security regulation under the Air Navigation (Overseas Territories) Order (“the AN(OT)O”) and the Aviation Security and Piracy (Overseas Territories) Order (“the ASP(OT)O”).

(b) Governors have designated ASSI as the appropriate authority for the regulation of aviation security, including the conduct of quality control activities, in the following OTs:

- Anguilla
- Bermuda
- British Virgin Islands
- Cayman Islands
- Falkland Islands
- Montserrat
- St. Helena
- Turks & Caicos Islands

(c) The Governor of each Territory is responsible for the National Civil Aviation Security Committee and National Civil Aviation Security Programme (NCASP) for that Territory.

3. Responsibilities

(a) The quality control responsibilities of ASSI include, but are not limited to:

(i) development, implementation and maintenance of the NCASQCP;

(ii) monitoring of the implementation of aviation security measures by airports, aircraft operators and other entities that perform security functions, in compliance with the requirements and National Civil Aviation Security Programmes (NCASPs);

(iii) assessment of the effectiveness of the requirements and NCASPs;

(iv) identification of deficiencies and assessment of any proposed corrective actions;

(v) submission of audit and performance reports to the National Civil Aviation Security Committees.

(b) The responsibilities and requirements applicable to aerodromes and aircraft operators, in respect of security quality control, are detailed in the Overseas Territories Aviation Requirements (OTARs) Part 178 Aviation Security.

4. Legislative framework & enforcement

Aviation Security is regulated under the AN(OT)O, the ASP(OT)O and OTARs, in particular OTAR Part 178 which in turn references ICAO Doc 8973. This legislative framework underpins ASSI’s audit and inspection programme and provides the enforcement tools available to regulate.
B. GOVERNING PRINCIPLES

1. Purpose and scope
   (a) A fundamental component of a State’s civil aviation security system is the effective implementation of quality control measures, i.e. the surveillance techniques and activities used to assess the State’s civil aviation security system and, whenever required, to resolve identified deficiencies.
   (b) All entities with aviation security responsibilities will be subjected to monitoring activities, including foreign aircraft operators operating from airports within the OTs, to check their compliance with the requirements and with NCASPs.

2. Programme characteristics
   The quality control measures in this programme are designed to:
   (a) be fair, reliable and impartial, in order to encourage cooperation from those being monitored and to ensure that the results are accepted and any corrective actions implemented effectively;
   (b) cover all aspects of the NCASPs, including the organisation of national security systems and the security measures in place for aircraft and airport operators;
   (c) cover different types of activities to determine the overall level of compliance with national requirements and to evaluate security needs in different areas;
   (d) follow a standardized and consistent approach to build credibility and win the respect of all parties.

3. Authority & responsibility of Inspectors
   (a) The powers to inspect are given under the AN(OT)O and the ASP(OT)O.
   (b) Individual inspectors are authorised to carry out their duties through ASSI’s competency and authorisation processes.

4. Code of conduct of Inspectors
   ASSI’s inspection activity is conducted in accordance with the ASSI management system.

5. Qualification of Inspectors
   (a) ASSI aviation security inspectors are required to have successfully completed the ICAO Aviation Security Auditor course and company training to meet the required competencies before being authorised.
   (b) On occasion, ASSI may brief a non-security Inspector or specialist to gather information in respect of aviation security at a specific location. In this event the briefing and de-briefing will be provided by an aviation security Inspector.

6. Confidentiality
   (a) General
   ASSI Inspectors are required to maintain strict confidentiality with respect to the information gathered during their monitoring activities.
(b) Media requests

Inspectors, may not, under any circumstances provide a comment or statement to the media in respect of inspection activities or security deficiencies. Any such requests for comment will be directed to ASSI’s CEO.

(c) Public release – enforcement action

Enforcement action is subject to an escalation process and, where the subject entity holds a certificate or approval issued by an OTAA, the public release of information regarding enforcement action will be coordinated with the relevant DCA where applicable.

(d) Control of inspection & enforcement records

Information and records concerning aviation security inspections, deficiencies and enforcement action may be security-sensitive as they may reveal weaknesses in the security system. All such information and records will be classified and handled in accordance with sub-paragraph (e).

(e) Handling of security sensitive information

Any information that is considered to be security-sensitive will be assigned a security classification of ‘OFFICIAL – SENSITIVE’. Handling will be in accordance with UK Government guidelines, including transmission only by secure email system.

7. Quality control standardisation

(a) Inspectors are required to apply standardised procedures in respect of the planning, preparation and performance of monitoring activities. Inspectors are required to apply consistent procedures concerning the content and dissemination of reports and any recommended corrective actions.

(b) ASSI procedures ensure that data, which is gathered in a systematic and standardised way, is collated, analysed and disseminated promptly for follow-up action. Information on the level of compliance by Airports and Aircraft operators and other entities is used in defining priorities and identifying trends.

8. Corrective actions

Documented deficiencies require corrective actions to be taken as quickly as possible.

Certain deficiencies may preclude immediate resolution, in which case an action plan and implementation time frame is established with the Aerodrome or Aircraft operator concerned.
C. ASSESSMENTS OF COMPLIANCE

1. Frequency of assessments

(a) Currently aviation security assessments are carried out through the review of documentary evidence supported by on-site audits. This will progressively change to a continuous monitoring programme.

(b) The frequency and timing of audits is determined by the following factors:

(i) National and local threat & risk assessments;
(ii) The results of previous audits;
(iii) Corrective action plan follow-up activity;
(iv) Reported incidents or deficiencies;
(v) Request from UK DfT or Governor.

(c) The frequency of planned audits is agreed annually but may change according to circumstances.

2. Content & prioritisation

(a) The intention of the programme is that all aspects of the implementation of Aerodrome and Aircraft Operator security programmes should be audited at appropriate intervals. The content of each audit is decided based on the factors listed at 1(b) above and additionally on:

(i) Global priorities as determined by ICAO
(ii) UK priorities as determined by UK DfT
(iii) Local priorities as determined by the Governor or NCASC.

(b) The content of planned audits is normally pre-notified to Aerodromes and Aircraft operators.

3. Notification & preparation

(a) Unless there is specific reason to do otherwise, the dates of planned audits will be agreed in advance with Aerodromes and Aircraft operators, in order to ensure that the necessary managers and personnel are available, and will be notified to the Governor and DCA as appropriate.

(b) Pre-audit documentation, questionnaire and schedule will be sent to the parties concerned a minimum of 14 days in advance of the audit.

4. Assessment Methodology

(a) Before the audit begins the relevant Aerodrome or Aircraft operator manager will be briefed on the planned content and conduct of the audit. They will be informed of any specific cooperation or access that is needed.

(b) Audits are conducted using ICAO methodology as contained in the ICAO Security Audit Reference Manual, Doc.9807 Guidance for Auditors, and the ASSI management system.
(c) Notes, observations and photographs gathered during audits are compiled in standardised format and stored securely. These are not shared with the Aerodrome or Aircraft operator unless incorporated into the written audit report.

5. **Conclusion of assessment**

(a) At the conclusion of an audit a verbal de-brief is provided to the relevant manager of the Aerodrome or Aircraft Operator. This verbal debrief may include instructions to take immediate corrective actions in the event that a serious deficiency has been found. Where the organisation in question holds a certificate or approval issued by an OTAA, the DCA will be debriefed.

(b) A written report and findings will be securely transmitted to the Aerodrome or Aircraft Operator within ten working days of completion of the audit.
D. REPORTING AND ENFORCEMENT OF NON-COMPLIANCE

1. Reporting of non-compliance

(a) Non-compliance may come to ASSI's attention as result of:

(i) planned audit or inspection activity;
(ii) a security incident;
(iii) voluntary reporting;
(iv) report from another organisation or agency;
(v) individual confidential reporting.

(b) A non-compliance that is judged to be of a serious nature (Level 1) must be immediately reported to:

(i) Aerodrome or Aircraft operator;
(ii) ASSI Chief Operating Officer or Chief Executive Officer;
(iii) the Governor;
(iv) the DCA, as appropriate.

2. Corrective action plans

(a) Level 1 deficiencies are required to be corrected within a maximum period of 7-days (depending on severity), in order to avoid escalation of enforcement action.

(b) For Level 2 deficiencies, the Aerodrome or Aircraft operator is required to submit to ASSI a written corrective action plan that details how the deficiencies will be corrected within a maximum period of 90 days.

(c) In the case of deficiencies revealed through a planned audit, the written audit report categorises deficiencies according to seriousness and indicates how long is available for corrective action(s) to be taken. Aerodromes and Aircraft operators are required to formulate and submit their corrective action plan to ASSI within ten working days of receipt of the written audit report.

3. Enforcement principles and procedures

The procedures for the enforcement of requirements and for the variation, suspension, or revocation of an Aerodrome Certificate, Air Operator's Certificate or Air Traffic Service Approval are set out in a published enforcement policy.

Where the entity holds a certificate or approval issued by an OTAA, enforcement action will be coordinated with the relevant DCA.

4. Criminal actions

Prosecution of offences against the AN(OT)O or ASP(OT)O are the responsibility of the relevant Territory law enforcement agencies.

5. Detention of an aircraft

Appropriately authorised Inspectors are empowered to detain aircraft in accordance with the AN(OT)O and ASP(OT)O.