



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

**Anguilla**

**Ascension Island**

**Bermuda**

**British Virgin Islands**

**Cayman Islands**

**Falkland Islands**

**Montserrat**

**St. Helena**

**Turks and Caicos Islands**

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## Revisions

Issue	Date	Notes
Issue 1	May 2015	<ul style="list-style-type: none"> <li>• First issue.</li> </ul>
Issue 2	January 2018	<ul style="list-style-type: none"> <li>• Complete review.</li> <li>• Revision to security classification requirements.</li> <li>• Update of ASSI address information.</li> </ul>
Issue 3	October 2019	<ul style="list-style-type: none"> <li>• Additions to responsibilities and methodologies.</li> <li>• Revision to selection and training requirements for Inspectors.</li> <li>• Amendment to criteria used in determining the frequency and timing of audits and inspections.</li> <li>• Cross referral to ASSI internal Procedure 25A.</li> <li>• Minor text amendments to improve clarity</li> </ul>
Issue 4	March 2020	<ul style="list-style-type: none"> <li>• Removal of references to the EU and EU regulations.</li> <li>• Inclusion of OTAR Part 179.</li> <li>• Additional section regarding funding and resource.</li> </ul>
Issue 5	November 2020	<ul style="list-style-type: none"> <li>• Inclusion of Ascension Island</li> <li>• Adjustment of wording to differentiate between announced and unannounced assessment activities</li> <li>• Reference to security surveys removed.</li> </ul>
Issue 6	March 2022	<ul style="list-style-type: none"> <li>• Correction of terminology at A.2</li> <li>• Inclusion of DfT and Governor responsibilities at A.4.</li> <li>• Revised wording at A.4(c)</li> <li>• Inclusion of vulnerability assessments at C.1(b)</li> </ul>
Issue 7	September 2022	<ul style="list-style-type: none"> <li>• Clarification to content and prioritisation of compliance activities.</li> </ul>

## 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.

Governors discharge their 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; additionally, the OTs do not adopt UK aviation security regulations. Therefore, although the 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 NCASQCP for Anguilla, Ascension Island, 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](mailto:enquiries@airsafety.aero).



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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 regulator

- (a) The Secretary of State for Transport is the Appropriate Authority for aviation security in the OTs, as notified to the International Civil Aviation Organisation (ICAO).
- (b) Governors of the OTs are responsible for the effectiveness of aviation security regulation under the Air Navigation (Overseas Territories) Order 2013 (“the AN(OT)O”) and the Aviation Security and Piracy (Overseas Territories) Order 2000 (“the ASP(OT)O”).
- (c) The Secretary of State for Transport has directed and Governors have designated ASSI as the regulator of aviation security, including the conduct of quality control activities, in the following OTs:
  - Anguilla
  - Ascension Island
  - Bermuda
  - British Virgin Islands
  - Cayman Islands
  - Falkland Islands
  - Montserrat
  - St. Helena
  - Turks & Caicos Islands
- (d) 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. Funding and resource

DfT provides overall policy and strategy on aviation security, including tasking and funding for ASSI to meet policy objectives, as defined in the “Statement of responsibilities between the Department for Transport, Air Safety Support International and the Foreign and Commonwealth Office in respect of aviation security in the UK Overseas Territories”.

DfT ensures that the funding and resource allocated to ASSI is sufficient to meet the task in respect of compliance activities.

### 4. Responsibilities

- (a) The quality control responsibilities of DfT include, but are not limited to:
  - (i) being informed on the effectiveness of aviation security measures and levels of compliance the OTs; and
  - (ii) ensuring changes to policy or regulation if compliance reports or other events suggest this is needed.
- (b) The quality control responsibilities of Governors include, but are not limited to:
  - (i) being informed on the effectiveness of aviation security measures and levels of compliance in the Territory; and
  - (ii) assist in influencing OT Governments, when requested by ASSI.

- (c) The quality control responsibilities of ASSI include, but are not limited to:
  - (i) development, implementation and maintenance of the NCASQCP; and
  - (ii) monitoring the implementation and effectiveness of National Civil Aviation Security Programmes (NCASPs) and of the National Civil Aviation Security Training Programme (NCASTP), as implemented by airports, aircraft operators, regulated agents and other entities that perform aviation security functions; and
  - (iii) determining a programme of quality control activities based on risk assessment; and
  - (iv) identification of deficiencies and assessment of any proposed corrective actions; and
  - (v) liaising with OT Authorities to progress audit Findings or enforcement action, as necessary; and
  - (vi) taking appropriate enforcement actions, when necessary; and
  - (vi) submission of audit and performance reports to the National Civil Aviation Security Committees, the ASSI Board and DfT.
- (d) The responsibilities of and requirements applicable to airports, aircraft operators and regulated agents, in respect of security quality control, are detailed in Overseas Territories Aviation Requirements (OTARs). Compliance with these requirements will be monitored in accordance with this programme

## **5. Legislative framework & enforcement**

Aviation Security is regulated under the AN(OT)O, the ASP(OT)O and OTARs, in particular OTAR Parts 178 and 179 which in turn reference 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, airport operators and regulated agents;
- (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 standardised 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. Selection and Qualification of Inspectors

- (a) ASSI aviation security inspectors are selected against a set of experience and qualification criteria that are contained in a detailed job requirements statement.
- (b) Inspectors are required to have successfully completed the ICAO Aviation Security National Inspectors course and ASSI's initial and on-the-job training programme to meet the required competencies before being authorised. Technical knowledge and expertise are maintained over time through a defined programme of recurrent and specialist training.
- (c) 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 (see Part D) 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 a standardised procedure (ASSI Procedure 25A – Regulatory Audit Planning and Management) 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 Procedure 25A ensures 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, aircraft operators, regulated agents 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 airport, aircraft operator or regulated agent concerned.

## 9. Monitoring

Details of all findings and associated corrective actions are recorded in the Centrik database which enables tracking of progress through to closure. Regular reviews are conducted by the ASSI Regulatory Team and compliance activity reports are submitted to the ASSI Board.

# C. ASSESSMENTS OF COMPLIANCE

## 1. Frequency of assessments

- (a) The ASSI Regulatory Manager is responsible for the management, scheduling and implementation of assessment activities.
- (b) Currently aviation security assessments are carried out through several different types of activity:
  - (i) review of documentary evidence
  - (ii) inspections
  - (iii) audits
  - (iv) tests
  - (v) vulnerability assessments

A mixture of announced and unannounced activities is carried out.

- (c) The frequency and timing of assessment activities are determined by the following factors:
  - (i) national and local threat assessments;
  - (ii) changing threat situation and emerging needs;
  - (iii) changes to regulatory requirements
  - (iv) the nature and extent of operations, including:
    - destinations served
    - frequency and volume of aircraft operations
    - volume of cargo, mail and catering
    - presence of high-risk flights;

- (vi) significant change e.g. new facilities, operations or destinations
  - (vii) the results of previous audits;
  - (vii) internal QA activity and results;
  - (viii) corrective action plan follow-up activity;
  - (ix) reported incidents or deficiencies (including confidential reports);
  - (x) request from UK DfT, Governor, airport, aircraft operator or regulated agent.
- (d) The frequency of planned activities, both announced and unannounced, is agreed by the Chief Operating Officer (COO) annually but may change according to circumstances.

## 2. Content & prioritisation

- (a) The intention of the programme is that all aspects of the implementation of airport, aircraft operator and regulated agent security programmes should be assessed at appropriate intervals.
- (b) The content of each assessment is decided based on the factors listed at 1(b) & 1(c) 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 National Civil Aviation Security Committee.
- (c) Assessments are normally confined to a small number of areas of security, to ensure each of those areas is assessed in depth.
- (d) The content of announced assessments is normally pre-notified to airports, aircraft operators and regulated agents.

## 3. Notification & preparation

- (a) Unless there is specific reason to do otherwise, the dates of announced assessments will be agreed in advance with airports, aircraft operators and regulated agents in order to ensure that the necessary managers and personnel are available. These 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 assessment begins the relevant airport, aircraft operator or regulated agent manager will be briefed on the planned content and conduct of the assessment. They will be informed of any specific cooperation or access that is needed.
- (b) Assessments 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 assessments are compiled in standardised format and stored securely. These are not shared with the airport, aircraft operator or regulated agent unless incorporated into the written assessment report.

## **5. Conclusion of assessment**

- (a) At the conclusion of an assessment a verbal de-brief is provided to the relevant manager of the airport, aircraft operator or regulated agent. 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 airport, aircraft operator or regulated agent 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) airport, aircraft operator or regulated agent;
  - (ii) ASSI Chief Operating Officer or Chief Executive Officer;
  - (iii) the Governor;
  - (iv) the DCA, as appropriate.

### **2. Corrective action plans**

The categorisation of non-compliances and associated process for corrective action are detailed in ASSI Procedure 25A.

- (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 airport, aircraft operator or regulated agent 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. Airports, aircraft operators and regulated agents 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, Regulated Agent Certificate, Approved Entity Certificate or Air Traffic Service Approval are detailed in ASSI Procedure 25A and 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.