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AIR NAVIGATION ACT
(CHAPTER 6)

AIR NAVIGATION
(AVIATION SECURITY) (AMENDMENT)
ORDER 2012

In exercise of the powers conferred by section 3 of the Air Navigation Act, the Minister for Transport hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Air Navigation (Aviation Security) (Amendment) Order 2012 and shall come into operation on 26th September 2012.

Amendment of paragraph 2

2. Paragraph 2 of the Air Navigation (Aviation Security) Order (O 5) (referred to in this Order as the principal Order) is amended by deleting sub-paragraph (1) and substituting the following sub-paragraph:

“(1) Except where otherwise expressly provided, this Order shall apply —

- (a) to any aircraft registered or operating in Singapore for the purpose of commercial air transport, general aviation or aerial work operations;
- (b) to any aircraft operator operating any aircraft in Singapore for all or any of the purposes specified in sub-paragraph (a);
- (c) to any airport in Singapore which is used for all or any of the purposes specified in sub-paragraph (a); and

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- (d) to any airport operator operating an airport in Singapore for all or any of the purposes specified in sub-paragraph (a).”.

Amendment of paragraph 3

3. Paragraph 3 of the principal Order is amended —

- (a) by deleting the definitions of “act of unlawful interference” and “aircraft operator” and substituting the following definitions:

““act of unlawful interference” means an act or attempted act such as to jeopardise the safety of civil aviation and air transport, and includes any of the following acts:

- (a) unlawful seizure of an aircraft;
- (b) destruction of an aircraft in service;
- (c) hostage-taking on board an aircraft or at an airport;
- (d) forcible intrusion on board an aircraft, at an airport or on 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;
- (g) communication of false information so as to jeopardise the safety of an aircraft in flight or on the ground, or of passengers, crew, ground personnel or the general public, at an airport or on the premises of a civil aviation facility;

“aerial work” means any operation in which an aircraft is used for agriculture, construction, photography, surveying, observation, patrol, search and rescue, advertising or other specialised service;

“aircraft operator” means the person who or which, at the relevant time, is engaged in or offering to engage in the operation of any one or more aircraft to which this Order applies;”;

(b) by deleting the definition of “airport operator” and substituting the following definition:

““airport operator” means the operator of an airport to which this Order applies;”;

(c) by inserting, immediately after the definition of “airside”, the following definition:

““air traffic service” includes any flight information service, alerting service, air traffic advisory service, air traffic control service, area control service, approach control service and aerodrome control service;”;

(d) by inserting, immediately after the definition of “Commissioner”, the following definition:

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

(e) by inserting, immediately after the definition of “enforcement notice”, the following definition:

““general aviation operation” means the operation or use of aircraft other than commercial air transport operation or an aerial work operation;”;

(f) by deleting the definition of “screening” and substituting the following definitions:

““screening” means the application of technical or other means which are intended to identify or detect any weapon, explosives or other dangerous device, or any article or substance which may be used to commit an act of unlawful interference;

“security control” means any 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;”.

Amendment of paragraph 4

4. Paragraph 4(2) of the principal Order is amended —

(a) by inserting, immediately after the words “organisations of Singapore,” in sub-paragraph (b), the words “providers of air traffic services,”;

(b) by inserting, immediately after the words “to make available to” in sub-paragraph (c), the words “providers of air traffic services,”;

(c) by deleting sub-paragraph (h) and substituting the following sub-paragraph:

“(h) to ensure that airport design requirements, including architectural and infrastructure-related requirements necessary for the implementation of the security measures in the NCASP, are integrated into the design and construction of new facilities and any alteration to existing facilities at an airport;”;
and

(d) by inserting, immediately after the words “training of personnel” in sub-paragraph (i), the words “of all entities”.

Amendment of paragraph 5

5. Paragraph 5 of the principal Order is amended by inserting, immediately after the words “organisations of Singapore,” in sub-paragraphs (1)(b) and (2)(c), the words “providers of air traffic services,”.

Amendment of paragraph 6

6. Paragraph 6 of the principal Order is amended —

(a) by deleting sub-paragraph (1) and substituting the following sub-paragraph:

“(1) If directed in writing by the National Civil Aviation Security Authority, an operator of an airport to which this Order applies —

(a) shall establish, implement and maintain an airport security programme for the airport in accordance with the requirements of the NCASP; and

(b) shall submit that airport security programme to the National Civil Aviation Security Authority for approval,

and any airport security programme for an airport that on 26th September 2012 has the approval of the National Civil Aviation Security Authority shall be deemed to have been established and submitted pursuant to a direction in writing under this sub-paragraph.”;

(b) by deleting the words “, approved by the National Civil Aviation Security Authority for that aircraft, in accordance with the requirements of the NCASP” in sub-paragraph (2) and substituting the words “in accordance with the requirements of the NCASP, and shall submit the operator security programme to the National Civil Aviation Security Authority for approval”; and

(c) by deleting sub-paragraph (3).

Amendment of paragraph 7

7. Paragraph 7(3) of the principal Order is amended —

- (a) by deleting the words “airside areas (including security restricted areas)” in sub-paragraph (b) and substituting the words “the airside and any security restricted area”;
- (b) by inserting, immediately after sub-paragraph (d), the following sub-paragraph:
 - “(da) the application of security controls (including screening) to persons and vehicles having access to the airside;”;
- (c) by inserting, immediately before the words “screening of all hold baggage” in sub-paragraph (g), the words “identification, accountability and authorisation of all hold baggage for carriage,”; and
- (d) by inserting, immediately after the words “appropriate security controls” in sub-paragraph (i), the words “(including screening)”.

Amendment of paragraph 8

8. Paragraph 8(1) of the principal Order is amended —

- (a) by deleting sub-paragraph (a) and substituting the following sub-paragraph:
 - “(a) who carries on any business or provides any goods, service or facility in relation to an airport or aircraft to which this Order applies (whether or not those goods or that service or facility is located at the airport); or”;
- (b) by deleting the words “a security restricted area” in sub-paragraph (b) and substituting the words “the airside”.

Amendment of paragraph 17

9. Paragraph 17(1) of the principal Order is amended by deleting sub-paragraph (c) and substituting the following sub-paragraph:

“(c) any person who carries on any business at an airport, or who provides any goods, service or facility to an airport operator or aircraft operator.”.

Amendment of paragraph 18

10. Paragraph 18 of the principal Order is amended by deleting sub-paragraphs (1) and (2) and substituting the following sub-paragraphs:

“(1) For the purposes specified in sub-paragraph (1A), an authorised person shall have the right of access, on production (if required) of his credentials —

- (a) to any place in Singapore; or
- (b) to any aircraft to which this Order applies at a time when it is in Singapore.

(1A) An authorised person shall have the right of access under sub-paragraph (1) solely for the purpose of carrying out any survey, test, inspection or audit to enable the Commissioner to determine —

- (a) whether to issue a security directive to any aircraft operator or airport operator under paragraph 7(1) or any person under paragraph 8(1);
- (b) whether the requirements of the NCASP are being or have been complied with; or
- (c) whether a security directive issued under paragraph 7(1) or 8(1) is being or has been complied with.

(2) An authorised person conducting a survey or test, or an inspection or audit, of any place or aircraft under sub-paragraph (1) shall have power —

- (a) to subject any part of an airport, any property found by him in an aircraft (but not the aircraft itself or any apparatus or equipment installed therein), any property found by him in an airport, or any property found by him in any other place at which the survey, test, inspection or audit, as the case may be, is conducted, to such tests; or

- (b) to require the aircraft operator, airport operator or any person carrying on any business or providing any service at the airport or other place, to furnish to him such information,

as the authorised person may consider necessary for the purpose for which the survey, test, inspection or audit is carried out.”.

Amendment of paragraph 19

11. Paragraph 19(2) of the principal Order is amended —

- (a) by deleting the words “a security restricted area” in sub-paragraph (f)(i) and substituting the words “the airside”; and
- (b) by deleting the words “security restricted area” in sub-paragraph (f)(ii) and substituting the word “airside”.

Made this 25th day of September 2012.

PANG KIN KEONG
*Permanent Secretary,
Ministry of Transport,
Singapore.*

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