

[MEMORANDUM CIRCULAR NO. 003, S. 2018, May 03, 2018]

POLICIES AND GUIDELINES IN THE CONDUCT OF BACKGROUND CHECK

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Pursuant to E.O. No. 277; E.O. No. 311; ICAO Annex 17, Standard 3.4.1 and 4.2.4, and in compliance to the provisions of Chapter 7.10.1.3 of the National Civil Aviation Security Program (NCASP) hereby promulgated are supplemental policies and guidelines for the implementation of OTS-Transportation Security Regulation (TSR) No. 007-2006 entitled "Conduct of Background Check".

I. RATIONALE

This circular defines and clarifies the conduct of background check and describe the roles and responsibilities of OTS, airport, aircraft operators and agency stakeholders to prevent unauthorized access to airport's security restricted areas.

II. SCOPE AND APPLICATION

This circular covers all authorities issuing access permits, airport operators, aircraft operators, agents and persons seeking access to security restricted areas of airports serving civil aviation.

III. SUPPLEMENTAL DEFINITIONS:

Agent - any person, company or organization engaged either directly or indirectly, whether by contractual agreement or otherwise, to carry out the duties on behalf of an airport and aircraft operator.

Aircraft Operator - a person, organization or enterprise engaged in or offering to engage in regular public transport or charter aircraft operations. Within the context of this circular "aircraft operator" shall mean the operator of any aircraft engaged in commercial air transport operations and any entity conducting general aviation operations, including corporate aviation operations, using aircraft with a maximum take-off mass greater than 5.700 kgs.

Airport Operator - is an airport organizational entity responsible for the operational management and coordination of airport operations, including management of airport security. Also referred to as airport management;

Airport Security Program - a written program detailing the individual security measures and procedures in place at each airport serving civil aviation, ensuring

compliance with the requirements of the NCASP.

Airport Tenants - are individuals or businesses granted the right by airport management to conduct business operations at that airport, such as concessionaires, caterers, handling agents and maintenance organizations.

Complete Background Check - check of a person's identity and previous experience, including where legally permissible, national and local records of criminal history, as part of the assessment of an individual's suitability to implement a security control and/or for unescorted access to a security restricted area.

Derogatory Information - a reported involvement of a person in an illegal or unscrupulous activity that would raise doubt on that person's qualification in having access to a security restricted area.

Partial Background Check - check of a person's identity and criminal history through examination of records of national agency such as, but not limited to, Philippine National Police (PNP), National Intelligence Coordinating Agency (NICA), Intelligence Service of the Armed Forces of the Philippines (ISAPF), National Bureau of Investigation (NBI) and Philippine Drug Enforcement Agency (PDEA).

Quality Control - are the monitoring and surveillance techniques and activities used to assess civil aviation security system and, whenever required, to resolve identified deficiencies.

Security Restricted Area - those areas of the airside of an airport which are identified as priority risk areas where in addition to access control, other security controls are applied. Such areas will normally include, inter alia, all commercial aviation passenger departure areas between the screening checkpoint and the aircraft, the ramp, baggage make-up areas, including those where aircraft are being brought into service and screened baggage and cargo are present, cargo sheds, mail center, airside catering and aircraft cleaning premises.

IV. POLICIES

- A. All persons who are allowed access to security restricted areas of an airport shall undergo complete background check prior to their deployment.
- B. Complete background checks shall be conducted on persons involved in the implementation of security controls regardless of the type of security access permits.
- C. Complete background check shall cover all aspects of applicant's employment and criminal-history, if any.
- D. Complete background check shall be required for new applicants and those existing employees who have not yet undergone complete background investigation.
- E. Airport and aircraft operators shall include in their respective ASP's and AOSP's procedures for the conduct of background check.

V. RESPONSIBILITIES