

---

First published in the *Government Gazette*, Electronic Edition, on 3 December 2020 at 5 pm.

---

**No. S 985**

**AIR NAVIGATION ACT  
(CHAPTER 6)**

**AIR NAVIGATION  
(REGULATED AIR CARGO AGENTS)  
(AMENDMENT) REGULATIONS 2020**

In exercise of the powers conferred by section 17F of the Air Navigation Act, the Minister for Transport makes the following Regulations:

**Citation and commencement**

1. These Regulations are the Air Navigation (Regulated Air Cargo Agents) (Amendment) Regulations 2020 and come into operation on 4 December 2020.

**Amendment of regulation 1**

2. Regulation 1 of the Air Navigation (Regulated Air Cargo Agents) Regulations 2017 (G.N. No. S 166/2017) (called in these Regulations the principal Regulations) is amended by deleting the words “(Regulated Air Cargo Agents)” and substituting the words “(Regulated Air Cargo Agents and Known Consignors)”.

**Amendment of regulation 3**

3. Regulation 3 of the principal Regulations is amended —
- (a) by inserting, immediately after the definition of “cargo”, the following definitions:
    - ““consignor” means a person who in the course of business provides cargo to an air cargo agent for export in an aircraft, and any person named as the consignor or shipper of cargo in any transport documents relating to the cargo is

---

---

prima facie treated as a consignor for the purposes of these Regulations;

“KCSP” means the Known Consignor Security Programme mentioned in regulation 19A;

“known consignor” or “KC” means a consignor who is registered under regulation 6;”;

(b) by inserting, immediately after “RACA” in the definition of “registration”, the words “or a KC, as the case may be”;

(c) by inserting, immediately after the definition of “regulated air cargo agent” or “RACA”, the following definition:

““regulated aviation industry participant” or “RAIP” means —

(a) a known consignor; or

(b) a regulated air cargo agent;”;

(d) by deleting the definition of “third-party service provider” and substituting the following definitions:

““third-party service provider” means —

(a) in relation to a RACA, an agent of or a person that has a contract with a RACA to provide a service for the movement or handling of any cargo handed over to the RACA or the making of arrangements for the movement or handling of such cargo, and includes any security service provider engaged to provide security services to the RACA in the movement or handling of cargo; and

(b) in relation to a KC, an agent of or a person that has a contract with a KC to provide a service for the manufacture, packing, storage and transport of cargo for export in an aircraft, and includes any security

service provider engaged to provide security services to the KC in the manufacture, packing, storage and transport of cargo;

“unknown cargo” means any cargo that is —

- (a) manufactured, packed, stored or transported by a consignor that is not a known consignor;
- (b) identified as unknown cargo by a known consignor; or
- (c) handled or delivered by an air cargo agent that is not a RACA.”.

#### **Amendment of heading to Part 2**

4. Part 2 of the principal Regulations is amended by inserting, immediately after the words “AIR CARGO AGENTS” in the Part heading, the words “AND CONSIGNORS”.

#### **Deletion and substitution of regulation 4**

5. Regulation 4 of the principal Regulations is deleted and the following regulation substituted therefor:

##### **“Application for registration**

4. An application by —

- (a) an air cargo agent to be registered as a RACA; or
- (b) a consignor to be registered as a KC,

must be made to the NCASA in such form and manner as the NCASA may determine.”.

#### **Amendment of regulation 5**

6. Regulation 5 of the principal Regulations is amended —

- (a) by inserting, immediately after “RACA”, the words “or a consignor to be registered as a KC (as the case may be)”;

- (b) by inserting, immediately after the words “air cargo agent” in paragraphs (a), (b) and (c), the words “or consignor”;
- (c) by deleting the words “that air cargo agent’s” in paragraph (e) and substituting the words “the applicant’s”; and
- (d) by inserting, immediately after “RACASP” in paragraph (f), the words “or KCSP, as the case may be”.

### **Amendment of regulation 6**

7. Regulation 6 of the principal Regulations is amended —

- (a) by inserting, immediately after “RACA” in paragraph (1)(a), the words “or KC (as the case may be)”;
- (b) by inserting, immediately after “RACA” in paragraph (1)(b), the words “or KC, as the case may be”; and
- (c) by deleting paragraph (2) and substituting the following paragraph:

“(2) The NCASA must issue a certificate of registration to every RAIP upon registration, or renewal of an RAIP’s registration.”.

### **Amendment of regulation 7**

8. Regulation 7 of the principal Regulations is amended —

- (a) by deleting the words “(but not exceeding 3 years)” in paragraph (1); and
- (b) by deleting the words “a RACA to renew the RACA’s registration” in paragraph (2) and substituting the words “an RAIP to renew the RAIP’s registration”.

### **New regulations 7A and 7B**

9. The principal Regulations are amended by inserting, immediately after regulation 7, the following regulations:

**“Provisional registration pending registration as a KC**

**7A.**—(1) The NCASA may, pending the determination of an application for registration as a KC, grant to the applicant a provisional registration which remains in force until —

- (a) the application is approved or refused; or
- (b) the provisional registration is cancelled.

(2) The NCASA may grant the provisional registration with or without such conditions as the NCASA considers requisite or expedient having regard to the purposes of these Regulations and Part IIB of the Act.

(3) Regulation 8 applies, with the necessary modifications, to a provisional registration.

(4) The NCASA must issue a provisional certificate of registration upon every provisional registration.

**Cancellation of provisional registration**

**7B.**—(1) The NCASA may cancel the provisional registration if —

- (a) the provisionally registered person fails to comply with any of the conditions of the provisional registration; or
- (b) the NCASA becomes aware of any fact which establishes to its satisfaction that the provisionally registered person is not a fit and proper person to hold provisional registration.

(2) Upon the cancellation of the provisional registration, the application for registration is deemed to be refused under regulation 6(1)(b), and regulation 6(3) applies, with the necessary modifications, to the refusal.

(3) The cancellation of the provisional registration takes immediate effect regardless of any appeal to the Minister under regulation 6(3).