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AIR NAVIGATION ACT (CHAPTER 6)

AIR NAVIGATION (REGULATED AIR CARGO AGENTS) REGULATIONS 2017

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

PART 1

PRELIMINARY

Citation and commencement

1. These Regulations are the Air Navigation (Regulated Air Cargo Agents) Regulations 2017 and come into operation on 15 May 2017.

Application

2.—(1) Subject to paragraph (2), these Regulations apply to and in relation to the carriage of any cargo in any aircraft departing from any airport in Singapore.

(2) Unless the context otherwise requires, these Regulations do not apply to or in relation to the carriage of any cargo in military aircraft departing from any airport in Singapore.

Definitions

3. In these Regulations, unless the context otherwise requires —

“air cargo agent” means any person who carries on a business that includes —

- (a) handling cargo to be passed to an aircraft operator or its representative for carriage in any aircraft from any airport in Singapore to a destination outside Singapore; or
- (b) delivering, or causing to be delivered, such cargo (directly or through an intermediary) to an aircraft operator or its representative for carriage in any aircraft;

“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 these Regulations apply;

“cargo” means any property carried in an aircraft other than stores and accompanied or mishandled baggage;

“NCASA” means the National Civil Aviation Security Authority;

“RACASP” means the Regulated Air Cargo Agent Security Programme mentioned in regulation 14;

“registration” means registration under these Regulations as a RACA;

“regulated air cargo agent” or “RACA” means an air cargo agent registered under regulation 6;

“screening” means the application of technical or other means intended to identify or detect weapons, explosives or other dangerous devices or any articles or substances that may be used to commit an act of unlawful interference, and includes any similar measure specified by the NCASA under section 17D of the Act;

“stores” means any goods intended for sale or use in an aircraft, including spare parts and other articles of equipment, whether or not for immediate fitting;

“third-party service provider” means an agent 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.

PART 2

REGISTRATION OF AIR CARGO AGENTS

Application for registration

4. An application by an air cargo agent to be registered as a RACA must be made to the NCASA in such form and manner as the NCASA may determine.

Content of application for registration

5. An application by an air cargo agent to be registered as a RACA must state the following, where applicable:

- (a) if the air cargo agent is a company —
 - (i) the name of the company;
 - (ii) the unique entity number of the company;
 - (iii) the full name of each director; and
 - (iv) if the company trades under another name, that trading name;
- (b) if the air cargo agent is a partnership —
 - (i) the name of the partnership;
 - (ii) the full name of each partner; and
 - (iii) if the partnership trades under another name, that trading name;

- (c) if the air cargo agent is an unincorporated association —
 - (i) the name of the unincorporated association;
 - (ii) the full name of each member of the association; and
 - (iii) if the association trades under another name, that trading name;
- (d) in any other case —
 - (i) the name of the applicant; and
 - (ii) if the applicant trades under another name, that trading name;
- (e) the name of that air cargo agent's chief executive officer or manager;
- (f) the postal address, telephone number (including an after-hours telephone number), fax number (if any) and email address (if any) of the applicant's principal office in Singapore and each of the applicant's sites in Singapore that will be covered by the applicant's RACASP;
- (g) any other information that the NCASA requires in any particular case.

Registration with or without conditions

6.—(1) After considering an application under regulation 4, the NCASA may —

- (a) register the applicant as a RACA, 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; or
- (b) refuse to register the applicant as a RACA.

(2) The NCASA must issue a certificate of registration to every RACA upon registration, or renewal of a RACA's registration.

(3) Where the NCASA refuses an applicant's registration, the applicant may, within 21 days after receiving notice of the NCASA's decision, appeal in writing to the Minister against that decision, and the Minister's decision on appeal is final.