

Air Navigation (Regulated Air Cargo Agents) Order 2008

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No. S 185

**AIR NAVIGATION ACT
(CHAPTER 6)**

AIR NAVIGATION (REGULATED AIR CARGO AGENTS) ORDER 2008

In exercise of the powers conferred by section 3(1) of the Air Navigation Act, the Minister for Transport hereby makes the following Order:

PART I

PRELIMINARY

Citation and commencement

1. This Order may be cited as the Air Navigation (Regulated Air Cargo Agents) Order 2008 and shall come into operation on 1st April 2008.

Application

2.—(1) This Order shall apply to any cargo that is to be carried on any aircraft engaged in passenger commercial air transport operations departing from any airport in Singapore.

(2) Unless the context otherwise requires, this Order shall not apply to any cargo carried on any military aircraft departing from any airport under the control of the Singapore Armed Forces.

Definitions

3. In this Order, unless the context otherwise requires —

“air cargo agent” means any person who —

- (a) carries on the business of handling cargo intended for carriage on any passenger commercial aircraft; and
- (b) delivers or causes to be delivered such cargo to an aircraft operator or its representative for carriage by such aircraft from any airport in Singapore to a destination outside Singapore;

“aircraft operator” has the same meaning as in the Air Navigation (Aviation Security) Order (O 5);

“airport” means an aerodrome;

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

“Commissioner” means the Commissioner of Police appointed under the Police Force Act (Cap. 235), or any police officer appointed by the Commissioner to act on his behalf;

“RACASP” means the Regulated Air Cargo Agent Security Programme which is a document prepared by an air cargo agent and submitted to the Commissioner under this Order and which —

- (a) describes the security measures and procedures to be used by the air cargo agent in handling any consignment, including the manner in which it accepts, processes, stores and transports cargo;
- (b) specifies the standards of security or protection provided by third-party service providers in handling the air cargo agent’s consignments;

(c) describes the security measures and procedures for screening consignments, where applicable; and

(d) complies with such requirements as the Commissioner may specify;

“regulated air cargo agent” means an air cargo agent who is registered under paragraph 6 and whose name appears in the List of Regulated Air Cargo Agents maintained by the Commissioner;

“screening” means the application of technical or other means which are intended to identify or detect weapons, explosives or other dangerous devices which may be used to commit an act of unlawful interference and includes any measure which is specified by the Commissioner under paragraph 7(3)(i) of the Air Navigation (Aviation Security) Order (O 5);

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

“third-party service provider” means a service provider engaged by a regulated air cargo agent to assist in the handling or transportation of any cargo handed over to the regulated air cargo agent and includes any security service provider engaged to provide security services to the regulated air cargo agent.

PART II

REGISTRATION OF AIR CARGO AGENTS

List of regulated air cargo agents

4. The Commissioner shall maintain and publish at <http://www.spf.gov.sg/rcar> a List of Regulated Air Cargo Agents containing the names of persons registered as regulated air cargo agents under paragraph 6.

Application for registration

5.—(1) An application for registration as a regulated air cargo agent shall be made in such form and manner as the Commissioner may require.

(2) An application for registration as a regulated air cargo agent shall, unless otherwise specified by the Commissioner, be accompanied by —

(a) the name, registration number and registered address of the air cargo agent;

(b) the business profile of the air cargo agent including the following details:

- (i) the principal activities of his business;
 - (ii) the principal place of his business;
 - (iii) the trade name of his business if it differs from the registered name of the business, company or limited liability partnership (as the case may be) under which he carries on business as an air cargo agent; and
 - (iv) the proprietors, managers, partners, directors, office bearers and shareholders of the business, company or limited liability partnership (as the case may be);
- (c) subject to paragraph 7(2), a copy of the RACASP; and
- (d) such other document or information as the Commissioner may require.

Registration of air cargo agents

6.—(1) On receipt of an application under paragraph 5, the Commissioner shall consider the application and may —

- (a) register the applicant as a regulated air cargo agent with or without conditions; or
- (b) refuse to register the applicant as a regulated air cargo agent.

(2) The Commissioner may at any time vary or revoke any of the existing conditions imposed under sub-paragraph (1)(a) or impose new conditions.

(3) The Commissioner shall, before adding to or varying any condition under sub-paragraph (2), give the regulated air cargo agent —

- (a) notice in writing of his intention to do so; and
- (b) an opportunity to be heard, within such time as may be specified in the notice, as to why the condition should not be added to or varied.

(4) Any person aggrieved by the decision of the Commissioner under sub-paragraph (1)(b) or (2) may, within 21 days of the date of notice of the decision of the Commissioner, appeal in writing to the Minister whose decision shall be final.

Certificate of registration

7.—(1) Where an applicant has been registered as a regulated air cargo agent, the