

**PART 17—AVIATION SECURITY**

: THE CIVIL AVIATION (AVIATION SECURITY) REGULATIONS, 2006

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## S. I. No. 84 of 2006

## AVIATION SECURITY

1.—(1) Pursuant to Section 30 of the Civil Aviation Act 2006, the Authority hereby makes the following Regulations. Short Title.

(2) These Regulations may be cited as the Civil Aviation (Aviation Security) Regulations, 2006.

## PART I—INTERPRETATION

2.—(1) For the purpose of this Part :

“*Act of unlawful interference*” means an act which seeks to or jeopardizes the safety of civil aviation and air transport such as :

- (a) unlawful seizure of an aircraft in flight or on the ground ;
- (b) hostage taking on board an aircraft or at an aerodrome ;
- (c) forcible intrusions on board an aircraft at an aerodrome or at the premises of an aeronautical facility ;
- (d) introduction on board an aircraft or at an aerodrome of a weapon or hazardous device or material intended for criminal purposes ; or
- (e) communication of false information so as to jeopardize the safety of aircraft in flight or on the ground, of passengers, crew, ground personnel or the general public, at an aerodrome or at the premises of a civil aviation facility ;

“*Aerial Work*” means an aircraft operation in which an aircraft is used for specialised services such as agriculture, construction, photography, surveying observation and patrol, search and rescue, aerial advertisement, etc.

“*Aerodrome*” has the same meaning as that given in the Civil Aviation Act, 2006. For the purposes of these regulations, the following additional interpretations apply :

- (a) International airport means any aerodrome with scheduled international services offered by national and foreign aircraft operators ;
- (b) Designated domestic airport means any aerodrome with no international services, and scheduled domestic services offered by national carriers, where by virtue of a security risk assessment carried out by the Appropriate Authority, the Standards and Recommended Practices of Annex 17 to the Convention on Civil Aviation shall apply ; and
- (c) Domestic airport means any aerodrome, other than those mentioned in (a) and (b), with domestic scheduled, non-scheduled and general aviation traffic.

“*Aerodrome Operator*” means the holder of an aerodrome license, issued under Part 12 of these Regulations ;

“*Aerodrome or Airport Tenant*” means any enterprise that is resident at an aerodrome and offers services and products at that aerodrome ;

“*Aircraft Operator*” means a national aircraft operator and a foreign aircraft operator ;

“*Aircraft Security Check*” means an inspection of the interior of an aircraft to which passengers may have had access and an inspection of the hold for the purposes of discovering suspicious objects, weapons explosives or other dangerous devices.

“*Aircraft Security Search*” means a thorough inspection of the interior and exterior of the aircraft for the purposes of discovering suspicious objects, weapons or other dangerous devices, articles and substances.

Interpretation.

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“*Airside*” means the movement area of an airport, adjacent terrain and buildings or portions thereof, access to which is controlled ;

“*Appropriate Authority*” or Authority means the Nigerian Civil Aviation Authority (NCAA), as specified to ICAO as the body responsible for the coordination of the development, implementation, and maintenance of the National Civil Aviation Security Programme ;

“*Appropriate Airport Authority*” means the Federal Airports Authority of Nigeria (FAAN) or any other Organisation responsible for aviation security in Nigeria ;

“*Audit*” shall mean any procedure or process used for compliance monitoring undertaken at national level. It covers security audits, inspections, surveys, tests and investigations ;

“*Auditor*” shall mean any person conducting audits at national level ;

“*Aviation Security Officer*” means :

(a) a person who is trained in accordance with the security training requirements of the appropriate approved Airport Security Programme and who has been appointed as an aviation security officer by an aerodrome operator, aircraft operator or aerodrome tenant ; and

(b) any member of the (*Police and/or Military*) when assigned aerodrome security duties ;

“*Aviation Security Screening Officer*” means a person who by virtue of his training has been employed by the aerodrome operator, aircraft operator, or aerodrome tenant to carry out aviation security screening duties, and who has been certified as such by the Appropriate Authority ;

“*Background Check*” means a check of a person’s identity and previous experience, including where legally permissible, any criminal history, as part of an assessment of an individual’s suitability to implement a security control and/or for unescorted access to a security restricted area ;

“*Cargo*” means any property carried on an aircraft other than mail, stores and accompanied or mishandled baggage.

“*Carry-on Baggage*” means luggage and personal belongings to which a person will have access while on board an aircraft ;

“*Catering Stores*” means all items, other than catering supplies, associated with passenger in-flight services, that includes newspapers, magazines, headphones, audio and video tapes, pillows and blankets, amenity kits ;

“*Catering Supplies*” means food, beverages, other dry stores and associated equipment used on board an aircraft ;

“*Checked Baggage*” means luggage and personal belongings accepted for transportation by an aircraft operator which is loaded into the hold of the aircraft, and to which a person will not have access while on board an aircraft ;

“*Commercial Air Transport Operation*” means an aircraft operation involving the transport of passengers, cargo or mail for remuneration or hire.

“*Corporate Aviation*” means the non commercial operation or use of an aircraft by a company for the carriage of passengers and or goods as an aid to the conduct of company business, flown by a professional pilot employed to fly the aircraft.

“*Dangerous Goods*” means articles or substances which are capable of posing significant risk to health, safety or property when transported by air and which are

classified according to the International Civil Aviation Organization Technical Instructions for the Safe Transport of Goods by Air ;

“*Deficiency*” shall mean failure to comply with aviation security requirements ;

“*Director General*” means the Director General of the Nigerian Civil Aviation Authority (NCAA) ;

“*Enhanced Security Restricted Area*” means those areas of the airside of an airport which are identified as priority risk areas where in addition to access control, the screening of persons and any items they may have in their possession are conducted ;

“*Escort*” means to accompany or supervise an individual who does not have unescorted access to areas restricted for security purposes, as identified in the Airport or Aerodrome Operator Security Programme ;

“*Firearm*” has the meaning given to it in appropriate Nigerian legislation ;

“*Foreign Air Operator*” means an aircraft operator who conducts international air transport operations under the terms of an air operator certificate issued by a State other than Nigeria ;

“*Flight Catering Operator*” means any enterprise that provides catering supplies for consumption on board an aircraft in flight engaged in the carriage of passengers ;

“*General Aviation*” means an aircraft operation other than a commercial air transport operation or an aerial work operation ;

“*Goods*” means personal belongings, baggage, cargo, mail, article, thing or conveyance that may be taken or placed on board an aircraft or taken into a restricted area ;

“*Hijacking*” has the meaning given to it under Civil Aviation Act 2006.

“*Incendiary Device*” means an object, other than a match or pocket lighter, that is fabricated with combustible materials and when ignited may cause fire damage to property or inflict burn injuries on individuals ;

“*In-flight Security Officer*” means a person who is employed and trained by the Government of Nigeria, or by the Government of another State, to travel on an aircraft with the purpose of protecting that aircraft and its occupants against acts of unlawful interference. This excludes persons employed to provide exclusive personal protection for one or more specific people travelling on the aircraft, such as personal bodyguards ;

“*Inspection*” shall mean an examination of the implementation of one or more aspects of security measures and procedures in order to determine how effectively they are being carried out ;

“*Investigation*” shall mean an examination of a security incident and an explanation of its cause in order to avoid recurrence and to consider legal action ;

“*Minister*” means the Honourable Minister for Aviation ;

“*National Aircraft Operator*” means an aircraft operator operating under the authority of an air operators certificate issued by the Nigerian Civil Aviation Authority ;

“*Person in Custody*” means a person who is for the time being under the control of a law enforcement officer ;

“*Personal Search*” means a search of the clothing of a person and personal

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belongings for prohibited items by a designated aviation security officer, an aviation security screening officer or a member of the Nigerian Police ;

“*Quality Control Programme*” shall mean the national civil aviation security quality control programme ;

“*Record*” includes any writing, drawing, map, tape, film, photograph, or other means by which information is preserved ;

“*Regulated Agent*” means an agent, freight forwarder or any other entity who conducts business with an aircraft operator and provides security controls that are accepted or authorized by the Appropriate Authority in respect of cargo, courier and express parcels or mail ;

“*Restricted Area*” means any area of an aerodrome that is identified as an area to which access is restricted to authorized persons ;

“*Restricted Area Permit*” means a document issued by the designated airport permit issuing authority, that entitles the holder to have access to a specific restricted area of an aerodrome during a specified period ;

“*Screening*” means the application of technical or other means which are intended to detect weapons, explosives or other prohibited items which have been designated as dangerous to aviation security ;

“*Screening Staff*” includes an aviation security screening officer ;

“*Security Programme*” means an Aerodrome Operator Security Programme, National Aircraft Operator Security Programme, Foreign Aircraft Operator Security Programme, Flight Catering Operator Security Programme, Tenant Restricted Area Security Programme and a Regulated Agent Security Programme, where applicable ;

“*Security Audit*” shall mean an in-depth examination of all aspects of security measures and procedures in order to determine if they are being implemented on a continual basis and to a constant standard ;

“*Security Directive*” means a formal written notification from the Director of NCAA requiring the recipient to take such security measures as are specified within the directive ;

“*Security Incident*” shall mean an occurrence with negative implications for the security and safety of persons and property ;

“*Sterile Area*” means :

(a) an area within a restricted area to which access is controlled by the inspection of persons and property in accordance with Parts II and III of these Regulations ; and

(b) a facility within a restricted area of an aerodrome accessible to screened persons and set apart to facilitate security control of persons embarking and disembarking aircraft ;

“*Survey*” shall mean an evaluation of operations in order to determine security needs. This includes the identification of vulnerabilities which could be exploited to carry out an act of unlawful interference, despite the implementation of security measures and procedures, and the recommendation of compensatory protective measures commensurate with the threat to address any identified risk ;

“*Technical Instructions*” means the International Civil Aviation Organization Instructions for the transport of Dangerous Goods by air ;

“*Tenant Restricted Area*” means any area at, or connected to, an aerodrome that has been declared as such in accordance with the appropriate Airport (Restricted Area) Bye-laws ;



“*Test*” shall mean a trial of aviation security measures, where the appropriate authority introduces or simulates intent to commit an unlawful act for the purpose of examining the efficiency and implementation of existing security measures ;

“*Transit Passenger*” means a passenger departing from an aerodrome on the same flight on which he arrived ;

“*Transfer Passenger*” means a passenger making direct connection between two different flights ; and

“*Weapon*” means any thing designed, used or capable of inflicting harm and includes a firearm.

(2) The Provisions of this Part shall apply to :

Applicability.

(a) international airport operators ;

(b) domestic airports operators and any other aerodrome operator certified by the Authority ;

(c) national aircraft operators ;

(d) foreign aircraft operators ;

(e) aerodrome tenants and/or operators of Tenant Restricted Areas at International airports or Designated Domestic airports ;

(f) any person in or within the vicinity of an international airport or designated domestic airport, or any other aerodrome specified by the Authority ;

(g) any person who offers goods for transport by air ;

(h) any person who provides a service to an aircraft operator ; and

(i) any person on board an aircraft.

(j) The Nigerian Airspace Management Agency (NAMA).

PART II—NATIONAL ORGANISATION

3.—(1) The Nigerian Civil Aviation Authority (NCAA) is designated as the Appropriate Authority for aviation security within Nigeria, and shall specify this to the International Civil Aviation Organisation (ICAO), and is hereby responsible for the development, and maintenance of the national civil aviation security programme.

Appropriate Authority and National Civil Aviation Security Programme.

(2) The Appropriate Authority shall establish, and monitor the implementation of, a written national civil aviation security programme designed to safeguard civil aviation operations against acts of unlawful interference, which takes into account the safety, regularity and efficiency of flights.

(3) The national civil aviation security programme shall be the repository of national policy of the Federal Government of Nigeria with regard to civil aviation security measures implemented within Nigeria and on Nigerian registered aircraft, and shall specify the agencies responsible for the implementation of that policy.

(4) Any person, assigned responsibility for a specific function or task within the national civil aviation security programme, who fails to carry out that function or task, to the standard specified in the national civil aviation security programme, commits an offence under these Regulations, and upon conviction may be liable to a fine as specified in Schedule 18 to these Regulations.

PART III.—SECURITY PROGRAMMES

General  
Condition for  
Security  
Programmes.

4.—(1) An international airport operator or designated domestic airport operator shall not operate the aerodrome specified in his aerodrome license unless he has submitted, for such aerodrome, a proposed Airport Security Programme, which meets the requirements of these Regulations for acceptance and subsequent approval by the Appropriate Authority.

(2) A person shall not operate a Nigerian registered aircraft within Nigeria or internationally unless he has submitted a proposed Airline Operator Security Programme for his operations, to the Appropriate Authority for its acceptance and subsequent approval.

(3) A foreign airline operator shall not conduct operations in Nigeria unless he has submitted a proposed Airline Operator Security Programme as part of his application for air services to the Appropriate Authority for its acceptance and subsequent approval.

(4) A person shall not operate an enterprise or an organization whose purpose is the movement of cargo by air, within and through Nigeria, unless he has submitted a proposed Regulated Agent Security Programme for his operations, to the Appropriate Authority for its acceptance and subsequent approval, or has satisfied the Appropriate Authority that appropriate security controls are in place for each consignment of cargo to safeguard aircraft against an act of unlawful interference.

(5) A person shall not operate an enterprise or an organization whose purpose is the provision of catering supplies and stores for use in air transport, within and through Nigeria, unless he has submitted a proposed Flight Catering Operator Security Programme for his operations, to the Appropriate Airport Authority for its acceptance and subsequent approval.

(6) A person shall not operate an enterprise or an organization which provides a service at, or connected with, any designated airport within Nigeria, whether or not that service provider occupies land deemed to be a Tenant Restricted Area under the appropriate Airport (Restricted Area) Bye-Laws, unless he has submitted a proposed Tenant Restricted Area Security Programme for his operations, to the Appropriate Airport Authority for its acceptance and subsequent approval.

(7) Where a person wishes his proposed security programme under this regulation to be approved by the Appropriate Authority he shall :

- (a) submit such security programme in writing at least sixty (60) days before the intended date of operations ;
- (b) pay the prescribed fee ; and
- (c) meet the requirements of these Regulations.

(8) A security programme under these Regulations shall be signed by the applicant and provide for the safety of :

- (a) passengers, crew and their property ;
- (b) the aircraft ;
- (c) operating staff associated with the facility or aircraft ;
- (d) related aviation support facilities, against acts of unlawful interference.

**5.—(1)** Where a person, under regulation 4, submits his security programme as part of his application for :

Additional Requirements for Applications.

(a) an aerodrome licence under the Civil Aviation Act or Regulations made thereunder ;

(b) an Air Operator Certificate under the appropriate Nigerian legislation ; and

(c) a foreign air operator operations specifications authorization under the appropriate Nigerian legislation, he shall in addition to meeting the requirements of that Regulation, meet the requirements for his security programme under these Regulations.

(2) For the purpose of administering these Regulations a security programme shall be assessed by the Director General, for adequacy.

**6.—(1)** Where the Director General is satisfied that a proposed security programme submitted under regulation 4, meets the requirements of these Regulations and does not conflict with the National Civil Aviation Security Programme, he may recommend the Appropriate Authority accept such proposed security programme.

Acceptance of Security Programmes.

(2) Where the Director General determines that a proposed security programme submitted under regulation 4, requires modification he may direct the applicant to modify and re-submit the proposed security programme for the acceptance of the Appropriate Authority.

(3) An acceptance under this Regulation does not authorize the aerodrome operator, aircraft operator, regulated agent, flight catering operator or Tenant Restricted Area operator to use his proposed security programme, submitted for approval under these Regulations, in his operations until the implementation of such programme has been evaluated and the programme has been approved for use.

(4) Where the Director General is satisfied that the submitted security programme does not meet the requirements of these Regulations and is in conflict with the National Civil Aviation Security Programme, then such Security Programme will not be approved and the aerodrome operator, aircraft operator, flight catering operator, aviation service provider, tenant restricted area operator, or regulated agent, if he continues operations, commits an offence against these regulations and is subject to the penalties outlined in the Schedule.

**7.—(1)** An Aerodrome Operator Security Programme required under regulation 4 and 5 in respect of a licensed aerodrome shall be designed to describe the measures in place to safeguard that airport against acts of unlawful interference and shall be in such form, manner and content as specified by the Director General.

Contents of an Aerodrome Operator Security Programme.

(2) An Aerodrome Operator Security Programme under subsection (1), shall be accompanied by a current scale map of the aerodrome under section 44.

**8.—(1)** In developing an Aerodrome Operator Security Programme under regulation 4, an aerodrome operator shall take into consideration the needs of all aviation stakeholders, including :

Development of Security Measures.

(a) reasonable access to aerodrome facilities and aircraft ; and

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(b) the optimizing of aerodrome security arrangements in his development, renovation and expansion plans.

Approved  
Aerodrome  
Operator  
Security  
Programme.

**9.—**(1) Upon a proposed Aerodrome Operator Security Programme submitted under regulation 4 being accepted by the Appropriate Authority under regulation 6, an aerodrome operator shall within thirty days of such acceptance ensure that such Aerodrome Operator Security Programme is implemented and in full operation.

(2) Where an aerodrome operator has implemented his accepted Aerodrome Operator Security Programme he shall notify the Appropriate Authority that the :

(a) has implemented such accepted Aerodrome Operator Security Programme ; and

(b) wishes to commence operations under such implemented Aerodrome Operator Security Programme once it is approved by the Appropriate Authority.

(3) Where the Director General is satisfied that the Aerodrome Operator Security Programme implemented at the aerodrome and the accepted Aerodrome Operator Security Programme of the aerodrome operator are identical, he may recommend the Appropriate Authority approve the Aerodrome Operator Security Programme for full operation in commercial air transport operations.

(4) Notwithstanding subsection (3), where the Aerodrome Operator Security Programme implemented at the aerodrome and the accepted Aerodrome Operator Security Programme are not identical, but the differences are within an acceptable level the Director General may recommend the approval of such Aerodrome Operator Security Programme.

Contents of  
an Airline  
Operator  
Programme.

**10.—**(1) A proposed Aircraft Operator Security Programme required under regulations 4 and 5 shall meet the requirements of the National Civil Aviation Security Programme and shall be in such form, manner and content as specified by the Director General.

Development  
of security  
Measures.

**11.—**(1) In addition to the matter set out in regulation 10 an aircraft operator shall ensure that his Aircraft Operator Security Programme, required under regulation 4, contains :

(a) provisions to meet his international obligations ; and

(b) provisions to meet the requirement of the National Civil Aviation Security Programme and his national obligations under the Act or Regulations made there-under.

(2) In addition to the requirements under subsection (1), a national aircraft operator shall ensure that his Aircraft Operator Security Programme contains the minimum information required as stipulated within the National Civil Aviation Security Programme (NCASP).

Approved of  
Aircraft  
Operator  
Security  
Programme.

**12.—**(1) Upon a proposed Aircraft Operator Security Programme submitted under regulation 4, being accepted by the Appropriate Authority under regulation 6, the aircraft operator shall within thirty days of such acceptance ensure that such Aircraft Operator Security Programme is implemented and in full operation.

(2) Where an aircraft operator has implemented his accepted Aircraft Operator Security Programme, he shall notify the Appropriate Authority that he :

(a) has implemented such accepted Aircraft Operator Security Programme ; and

(b) wishes to commence operations under such implemented Aircraft Operator Security Programme once it is approved by the Appropriate Authority.

(3) Where the Director General is satisfied that the implemented Aircraft Operator Security Programme implemented by the aircraft operator and the accepted Aircraft Operator Security Programme are identical, he may recommend the Appropriate Authority approve the Aircraft Operator Security Programme for full operation in commercial air transport operations.

(4) Notwithstanding subsection (3), where the Aircraft Operator Security Programme implemented by the aircraft operator and the accepted Aircraft Operator Security Programme are not identical, but the differences are within an acceptable level the Director General may recommend the Appropriate Authority approve such Aircraft Operator Security Programme.

**13.** A regulated agent shall ensure that his Regulated Agent Security Programme, required under regulation 4, contains :

Contents of a Regulated Agent Security Programme.

(a) provisions to meet the requirements of the National Civil Aviation Security Programme and his national obligations under the Act or Regulation made thereunder ; and

(b) include details of procedures for :

(i) ensuring the security of goods accepted by him and under his control ;

(ii) ensuring the security of his buildings, premises, transport facilities and cargo warehouses,

(iii) ensuring the security of goods during the transfer from one facility to another ;

(iv) recruitment and training of staff involved in the handling of goods ; and

(v) incident reporting.

**14.—(1)** Upon a proposed Regulated Agent Security Programme submitted under regulation 4, being accepted by the Appropriate Authority under regulation 6, the regulated agent shall within thirty days of such acceptance ensure that such accepted Regulated Agent Security Programme is implemented and in full operation.

Approved of Regulated Agent Security Programme.

(2) Where the regulated agent has implemented his accepted Regulated Agent Security Programme in accordance with subsection (1), he shall :

(a) notify the Appropriate Authority that he has implemented his accepted Regulated Agent Security Programme ; and

(b) wishes to commence operations under such implemented Regulated Agent Security Programme once it is approved by the Appropriate Authority.

(3) Where the Director General is satisfied that the Regulated Agent Security Programme implemented by the regulated agent and the accepted Regulated Agent Security Programme are identical, he may recommend the Appropriate Authority approve the Regulated Agent Security Programme, (hereinafter referred to as “an

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*approved Regulated Agent Security Programme*”) for full operation in the operations of the regulated agent.

(4) Notwithstanding subsection (3), where the approved Regulated Agent Security Programme implemented by the regulated agent and the accepted Regulated Agent Security Programme are not identical, but the differences are within an acceptable level the Director General may recommend the Appropriate Authority approve such Regulated Agent Security Programme.

Contents of a Flight Catering Operator Security Programme.

**15.—**(1) A flight catering operator shall ensure that his Flight Catering Operator Security Programme, required under regulation 4, contains provisions to meet the requirements of the National Civil Aviation Security Programme and his national obligations under the Act or Regulation made thereunder.

(2) A Flight Catering Operator Security Programme required under regulation 5 shall be designed to describe the measures in place to safeguard that facility against acts of unlawful interference and shall be in such form, manner and content as specified by the Director General.

(3) A Flight Catering Operator Security Programme required under subsection (1), shall be accompanied by a current scale map of the flight catering facility area of operations.

(4) Notwithstanding subsection (3), in the case where the area in which the flight catering operator conducts his business has been declared a Tenant Restricted Area under the appropriate Airport (Restricted Area) Bye-laws, then the requirement for maps will be in accordance with the requirements of Regulation 17(2).

Approved of Flight Catering Operator Security Programme.

**16.—**(1) Upon a proposed flight catering operator Security Programme submitted under regulation 4, being accepted by the Appropriate Authority under regulation 6, the flight catering operator shall within thirty days of such acceptance ensure that such accepted Flight Catering Operator Security Programme is implemented and in full operation.

(2) Where the flight catering operator has implemented his accepted Flight Catering Operator Security Programme in accordance with subsection (1), he shall :

(a) notify the Appropriate Authority that he has implemented his accepted Flight Catering Operator Security Programme ; and

(b) wishes to commence operations under such implemented Flight Catering Operator Security Programme once it is approved by the Appropriate Authority.

(3) Where the Director General is satisfied that the Flight Catering Operator Security Programme implemented by the flight catering operator and the accepted Flight Catering Operator Security Programme are identical, he may recommend the Appropriate Authority approve the Flight Catering Operator Security Programme, (hereinafter referred to as (*“an approved Flight Catering Operator Security Programme”*)) for full operation in the operations of the flight catering operator.

(4) Notwithstanding subsection (3), where the Flight Catering Operator Security Programme implemented by the flight catering operator and the accepted Flight Catering Operator Security Programme are not identical, but the differences are within an

acceptable level the Director General may recommend the Appropriate Authority approve such Flight Catering Operator Security Programme.

**17.—**(1) A Tenant Restricted Area Security Programme required under regulation 4 and 5 in respect of an area located at a designated aerodrome, and specified in the appropriate Airport (Restricted Area) Bye-laws, shall be designed to safeguard both the TRA and the aerodrome connected with the TRA, against acts of unlawful interference and shall be in such form, manner and content as specified by the Director General.

Contents of a  
Tenant  
Restricted  
Area Security  
Programme.

(2) A Tenant Restricted Area Security Programme under subsection (1), shall be accompanied by a current scale map of the TRA, as required and produced under the appropriate Airport (Restricted Area) Bye-laws.

**18.—**(1) Upon a proposed Tenant restricted Area Security Programme submitted under regulation 4, being accepted by the Appropriate Authority under regulation, the TRA operator shall within thirty days of such acceptance ensure that such accepted Tenant Restricted Area Security Programme is implemented and in full operation.

Approved of  
Tenant  
Restricted  
Area Security  
Programme.

(2) Where the TRA operator has implemented his accepted TRA Security Programme in accordance with subsection (1), he shall :

(a) notify the Appropriate Authority that he has implemented his accepted TRA Security Programme ; and

(b) wishes to commence operations under such implemented TRA Security Programme once it is approved by the Appropriate Authority.

(3) Where the Director General is satisfied that the TRA Security Programme implemented by the operator of a tenant restricted area and the accepted TRA Security Programme are identical, he may recommend the Appropriate Authority approve the TRA Security Programme, (hereinafter referred to as “an approved TRA Security Programme”) for full operation in the operations of the tenant restricted area.

(4) Notwithstanding subsection (3), where the TRA Security Programme implemented by the operator of a tenant restricted area and the accepted TRA Security Programme are not identical, but the differences are within an acceptable level the Director General may recommend the Appropriate Authority approve such TRA Security Programme.

**19.—**(1) An aviation service provider shall ensure that his Security Programme, required under regulation 4, contains provisions to meet the requirements of the National Civil Aviation Security Programme and his national obligations under the Act or Regulation made thereunder.

Contents of  
an Aviation  
Service  
Provider  
Security  
Programme.

(2) An aviation service provider shall ensure that his Security Programme required under regulation 4 shall be designed to describe the measures in place to safeguard that facility against acts of unlawful interference and shall be in such form, manner and content as specified by the Director General.

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Approval of  
an Aviation  
Service  
Provider  
Security  
Programme.

**20.**—(1) Upon a proposed aviation service provider Security Programme submitted under regulation 4, being accepted by the Appropriate Authority under regulation 6, the aviation service provider shall within thirty days of such acceptance ensure that such accepted Security Programme is implemented and in full operation.

(2) Where the aviation service provider has implemented his accepted Flight Catering Operator Security Programme in accordance with subsection (1), he shall :

(a) notify the Appropriate Authority that he has implemented his accepted Security Programme ; and

(b) wishes to commence operations under such implemented Security Programme once it is approved by the Appropriate Authority.

(3) Where the Director General is satisfied that the Security Programme implemented by the aviation service provider and the accepted Security Programme are identical, he may recommend the Appropriate Authority approve the Security Programme, (hereinafter referred to as “*an approved Aviation Service Provider Security Programme*”) for full operation in the operations of the aviation service provider.

(4) Notwithstanding subsection (3), where the Security Programme implemented by the aviation service provider and the accepted Security Programme are not identical, but the differences are within an acceptable level the Director General may recommend the Appropriate Authority approve such Security Programme.

Modifications  
to  
Operational  
particulars  
affecting  
Security.

**21.**—(1) Where a security programme has been approved under regulations 9, 12, 14, 16, 18 and 20 (hereinafter referred to as “*an approved Security Programme*”), the aerodrome operator, aircraft operator, regulated agent, flight catering operator, aviation service provider or tenant restricted area operator where applicable shall follow the procedures under subsection (2), whenever he determines :

(a) in respect of an aerodrome operator :

(i) any description of the aerodrome area set out in such Aerodrome Operator Security Programme is no longer accurate ; and

(ii) the changes to the designation of the Aerodrome Security Co-ordinator required under regulation 40 ;

(b) any description of his operations set out in his programme is no longer accurate, the procedures included, and the facilities and equipment described, in such Aerodrome Operator Security programme are no longer adequate.

(2) Whenever a condition described in subsection (1), occurs the aerodrome operator, aircraft operator, regulated agent, flight catering operator, or tenant restricted area operator where applicable shall :

(a) immediately notify the Director General of the changed condition, and identify each interim measure being taken to maintain adequate security until approval is granted for an appropriate amendment to his approved Security Programme ; and

(b) within thirty days after notifying the Director General in accordance with paragraph (a), submit for approval in accordance with regulation 22, an amendment to his Security Programme to bring it into compliance with these Regulations.



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**22.—**(1) Where an aerodrome operator, aircraft operator, regulated agent, flight catering operator, or tenant restricted area operator wishes to amend his approved Security Programme, he shall submit the request for such approval to the Appropriate Authority at least thirty days before the proposed effective date of intended implementation of the amended approved Security Programme.

Amendment of Approved Security Programme by Aerodrome Operator, Aircraft Operator, Regulated Agent, Flight Catering Operator and Tenant Restricted Area Operator.

(2) When the Director General is satisfied that the proposed amendment to the approved Security Programme provides the level of security required by these Regulations, he may recommend the Appropriate Authority approve the amended approved Security Programme.

**23.—**(1) The Director General may recommend that that the Appropriate Authority require an aerodrome operator, aircraft operator, regulated agent, flight catering operator, or tenant restricted area operator amend his approved Security Programme, where he determines that safety and the public interest require the amendment.

Amendment of Approved Security Programme by the appropriate Authority.

(2) Except in an emergency as provided in subsection (5), where the Appropriate Authority requires an aerodrome operator, aircraft operator, regulated agent, flight catering operator, or tenant restricted area operator amend his approved Security Programme under subsection (1), the Director General shall notify the aerodrome operator, aircraft operator, regulated agent, flight catering operator, or tenant restricted area operator in writing of the required amendment and allow a period of thirty days from the date contained in the notice, for a written response from such aerodrome operator, aircraft operator, regulated agent, flight catering operator, or tenant restricted area operator.

(3) Upon receipt of a notice of a proposed amendment under subsection (2), the aerodrome operator, aircraft operator, regulated agent, flight catering operator, or tenant restricted area operator may submit an alternative amendment to his approved Security Programme which meets the intent of the required amendment under subsection (2), for consideration by the Director General.

(4) When the Director General is satisfied that the alternative amendment submitted under subsection (3), would provide an overall level of security equal to that required by the Appropriate Authority, he may recommend the Appropriate Authority approve the alternative amendment to the approved Security Programme.

(5) Where the Director General determines that an emergency exists which requires immediate action that makes the procedure in subsection (2) and (3), impracticable or contrary to the public interest and safety, he may recommend the Appropriate Authority direct the aerodrome operator, aircraft operator, regulated agent, catering operator, or tenant restricted area operator to deviate in a specified manner from his approved security programme in the area of concern, for a specified period.

Aerodrome  
Operator  
Responsibilities.

**24.—**(1) An aerodrome operator shall, prior to the implementation of any renovation and expansion works to his aerodrome or the construction of additional aerodrome facilities at the same location, submit to the Appropriate Authority a revision of his measures designed to safeguard against acts of unlawful interference which may arise.

(2) Where a foreign air operator uses the aerodrome facilities of an aerodrome operator the Director General may, in co-ordination with the aerodrome operator, recommend the Appropriate Authority approve an inspection by the Appropriate Authority responsible for aviation security of the Contracting State of such foreign air operator in order to assess the adequacy of the security measures.

(3) An aerodrome operator shall keep at the aerodrome a current scale map of the aerodrome that identifies the restricted areas in accordance with the appropriate Airport (Restricted Area) Bye-laws, security barriers and restricted area access points.

Aerodrome  
Security  
Committee.

**25.—**(1) An aerodrome operator shall establish an Aerodrome Security Committee to ensure the implementation of any national civil aviation security initiatives that may be required by the Appropriate Authority from time to time.

(2) An Aerodrome Security Committee under subsection (1), shall comprise of those representatives stipulated within the respective Airport Security Programmes approved by the Director General.

Aviation  
Security  
Officers and  
Aviation  
Security  
Screening  
Officers.

**26.—**(1) An aerodrome operator shall provide aviation security officers and aviation security screening officers, in the number and in a manner adequate to support :

(a) his Aerodrome Operator Security Programme ; and

(b) each passenger screening system required under any Part of these Regulations.

(2) An aerodrome operator shall ensure that an aviation security officer or aviation security screening officer employed by him :

(a) abstains from the consumption of alcoholic beverages or other substances prohibited by law while assigned to duty ; and

(b) is readily identifiable by uniform and displays or carries a badge or other identification of his authority while assigned to duty ; and

(c) has completed a training programme that meets the requirements in subsection (6).

(3) An aerodrome operator shall ensure that an aviation security officer or aviation security screening officer employed by him :

(a) is authorized to carry out the duties and functions assigned to him/her ; and

(b) conducts security duties in accordance with the applicable provisions of these Regulations.

(4) An aviation security officer or aviation security screening officer shall, while on duty at an aerodrome, have the authority to arrest with or without a warrant, any person, whom he/she believes has committed :

- (a) a crime committed in his/her presence ; or
- (b) an offence against any of these Regulations or the appropriate Airport (Restricted Area) Bye-laws in force.

(5) Any person who obstructs, insults, intimidates or performs any act of violence against an aviation security officer or aviation security screening officer, while that officer is on duty at an aerodrome is guilty of an offence and shall upon conviction be liable to a penalty as specified in Part 18 to these Regulations.

(6) The training programme required by subsection (2) (c), shall provide training in the subjects specified within the approved Aerodrome Operators Security Programme and shall meet the training standards specified by the Appropriate Authority.

**27.—**(1) An aerodrome operator shall not employ any person as an aviation security officer or aviation security screening officer unless :

Employer's  
Responsibility.

- (a) such person meets the requirements of these Regulations ;
- (b) such person has been trained in accordance with the requirements of these Regulations, where his duties are in respect to screening of passengers, crew, baggage and mail ; and
- (c) where employed by the aerodrome tenant as an aviation security officer, such person is approved by the aerodrome operator.

(2) An aerodrome operator shall ensure that :

- (a) initial and periodic background checks are performed in respect of each aviation security officer and aviation security screening officer ; and
- (b) initial and recurrent training on aviation security is received by each aviation security officer and aviation security screening officer in his employment.

(3) An aerodrome operator shall keep an accurate record of the initial and periodic background check, experience and training of an aviation security officer and aviation security screening officer in his employment and such record shall be retained for the duration of his employment and thereafter for a period of one year.

**28.—**(1) At each aerodrome certified by the Director General, members of the Nigeria Police shall be deployed in support of the aerodrome security personnel to provide an armed response capability to prevent the occurrence of acts of unlawful interference.

Support from  
members of  
the Nigeria  
Police.

(2) The deployment of these members of the Police will be in accordance with the measures described within the appropriate aerodrome security programme.

**29.—**(1) Every person entering a sterile area, or enhanced security restricted area, at any aerodrome to which these regulations apply, as specified within the appropriate aerodrome security programme, is required to be screened, including any carry on baggage, goods or other articles in their possession.

Requirement  
for  
Screening.

(2) An organization approved by the Appropriate Authority to carry out screening functions must ensure that any person who acts or will act as a screening officer for it or on its behalf meets the minimum standards set out by the Appropriate Authority, as amended from time to time.

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(3) An organization approved by the Appropriate Authority to carry out screening functions must not permit a screening officer to conduct an authorized search for it or on its behalf unless the screening officer meets the minimum standards set out by the Appropriate Authority, as amended from time to time.

(4) An air carrier must not transport a person or goods that must be screened in accordance with subsection (1), unless the person or goods have been screened in accordance with that regulation.

(5) A person who must be screened under subsection (1) must not circumvent a screening of their person or goods or other things in their possession or control or a vehicle under their care or control or assist another person who must be screened in circumventing a screening of that person or goods or other things in that person's possession or control or a vehicle under that person's care or control.

(6) A person who is at an aerodrome or on board an aircraft must not falsely declare that :

(a) they are carrying a weapon, an explosive substance, an incendiary device or other dangerous item that could be used to jeopardize the security of an aerodrome or aircraft or that such an item is contained in goods or other things in their possession or control or in a vehicle under their care or control that they have tendered or are tendering for screening or transportation ; or

(b) another person who is at the aerodrome or on board an aircraft is carrying a weapon, an explosive substance, an incendiary device or other dangerous item that could be used to jeopardize the security of an aerodrome or aircraft or that such an item is contained in goods or other things in that person's possession or control or in a vehicle under their care or control and is being tendered or has been tendered for screening or transportation.

(7) Notwithstanding subsection (1), the Director General may, in writing, exempt such persons as he deems appropriate from the requirements to be screened. Any exemption made under this regulation shall be promulgated in the appropriate aerodrome security programme.

Refusal of  
Screening.

**30.—(1)** Subject to Regulation 29 (7), any person who refuses to allow themselves and their carry-on baggage, goods or other articles in their possession to be screened will be denied access to the enhanced security restricted area or sterile area.

(2) Where, after entering an enhanced security restricted area or sterile area, a person who is required by an aviation security officer or aviation security screening officer, to submit to screening of his person, goods, vehicle or means of conveyance refuses such a search, the aviation security officer or aviation security screening officer shall order such person to leave the enhanced security restricted area or sterile area and remove the goods, vehicle or means of conveyance in his possession from the enhanced security restricted area or sterile area.

(3) Where, after having boarded an aircraft, a passenger is required by an aviation security officer or aviation security screening officer to submit to the screening of his person, or of the goods that he carried or had placed on board the aircraft and

he refuses such a screening, the aviation security officer or aviation security screening officer shall order such person to disembark the aircraft and remove the carry-on baggage, goods or checked baggage of such person.

**31.**—Where baggage is received at an aerodrome for transport on an aircraft and such baggage is not accompanied by a person who may give the permission to screen such baggage, an aviation security officer or aviation security screening officer, may carry out an authorized search of the baggage in the presence of the aircraft operator concerned or a regulated agent, and in carrying out that search may use such force as may reasonably be necessary to gain access to the baggage.

Unaccompanied Baggage.

**32.**—(1) An aerodrome operator, aircraft operator, aerodrome tenant or regulated agent shall immediately notify an aviation security officer, aviation security screening officer, or a Police officer when there is :

Security Incidents.

(a) the discovery of an unauthorized firearm other than an unloaded firearm allowed under the security programme of an aircraft operator ;

(b) the discovery, at the aerodrome, or on board an aircraft, of an explosive substance or an incendiary device or a suspected explosive substance or suspected incendiary device ;

(c) refusal by a person to submit to the security screening required under these Regulations ;

(d) refusal by a person to remove himself and his goods from a restricted area when so ordered by an aviation security officer ;

(e) a report of unattended baggage located in his area of responsibility ;

(f) a report of suspicious packages, articles or goods in his area of responsibility ; or

(g) a specific threat against the aerodrome comes to his attention.

(2) An aerodrome operator shall investigate any of the reported security incidents set out in subsection (1), and provide a report of the incident to the Appropriate Authority in accordance with procedures set out in his approved Aerodrome Operator Security Programme.

**33.**—(1) An aerodrome operator shall ensure that a record is kept of every security incident at his aerodrome.

Records.

(2) A record required to be kept under subsection (1), shall :

(a) be kept for a minimum of ninety days ;

(b) be made available to the Appropriate Authority upon request ; and

(c) include the number :

(i) and type of weapons and incendiary devices discovered during any passenger screening process and the method of detection of each ;

(ii) of acts and attempted acts of air piracy ;

(iii) of bomb threats received, real and simulated bombs found and actual bombings at the aerodrome ; and

(iv) of detentions and arrests and the immediate disposition of each person detained or arrested.

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Aerodrome  
Tenant and  
Tenant  
Restricted  
Area  
Operator  
Responsibility.

**34.—**(1) An aerodrome tenant restricted area operator, and any other tenants at designated aerodromes, shall develop security measures to manage access to the tenant restricted area, or other area, under his control in compliance with the TRA Security Programme submitted for approval under Regulation 17, or the Aerodrome Security Programme under Regulation 7.

(2) An aerodrome tenant restricted area operator, or other tenant, shall ensure that his personnel receive appropriate aerodrome security training or security awareness training as appropriate, in accordance with the approved TRA Security Programme or Aerodrome Security Programme.

(3) An aerodrome tenant restricted area operator, or other tenant, shall not use a person as an aviation security officer unless the employment of such person has been approved by the aerodrome operator.

Confidential  
Security  
Information.

**35.—**A person shall not divulge documented information in respect of security measures in effect at an aerodrome without the permission of the aerodrome operator.

False  
Statements,  
Entries or  
Unauthorised  
Reproduction.

**36.—**A person shall not make, or cause to be made, any of the following :

(a) a fraudulent or intentionally false statement in any Aerodrome Operator Security Programme or an application for any security programme ;

(b) a fraudulent or intentionally false entry in any record or report that is kept, made or used to show compliance with this Part or exercise any privileges under this Part ; and

(c) a reproduction or alteration of any report, record, security programme, issued under this Part without the approval of the aerodrome operator.

Access  
Control  
System.

**37.—**(1) An aerodrome operator shall ensure that the location and function of restricted areas, enhanced security restricted areas and sterile areas at the aerodrome are designated and properly defined within the appropriate Airport (Restricted Area) Bye-laws.

(2) The level of access to a restricted area, enhanced security restricted area or sterile area shall be clearly defined and made known to all persons at the aerodrome whose duties require them to have access to these areas.

(3) An aerodrome operator shall include in his approved Aerodrome Operator Security Programme details of a system, method and procedure, which shall ensure that :

(a) access points into restricted areas, enhanced security restricted areas or sterile areas are limited in number and physical access through those points are strictly controlled ;

(b) entry points which cannot be effectively controlled are locked or otherwise secured against entry by unauthorized persons ;

(c) access by persons and vehicles to restricted areas, enhanced security restricted areas and sterile areas is restricted only to persons who have a clear need for such access by virtue of their duties ;

(d) enhanced security restricted areas and sterile areas not subject to continual access control measures shall be subjected to a thorough search prior to being brought into use ;

(e) a person whose duties require him to be at the aerodrome is required to have on display on his person, a valid aerodrome identification permit and any baggage or item he carries shall be screened before being allowed access to enhanced security restricted areas or sterile areas ;

(f) the screening under paragraph (e) shall be to the same standard as that required for passengers, under regulation 29 ; and

(g) persons at an aerodrome are aware of what areas they are prohibited access.

(4) Notwithstanding the screening requirements under subsection (2)(e), the Appropriate Authority may consider screening at certain access points on a random basis depending on the assessed risk where details of such risks are included in an approved Aerodrome Operator Security Programme.

(5) The system under subsection (2), shall provide a means to differentiate the various airport restricted areas that holders of airport restricted area permits are allowed access to.

(6) The system under subsection (2), shall describe the scope of initial and periodic background checks conducted on applicants for all types of airport restricted area permits issued.

**38.—**(1) An aerodrome operator shall ensure that access to a restricted area, enhanced security restricted area or sterile area of his aerodrome is controlled by the use of an airport restricted area permit system to identify persons and vehicles and facilitate access where authorized.

Airport Restricted Area Permit System.

(2) Notwithstanding the provisions of Regulation 37(1), the airport restricted area permit system shall be in accordance with the appropriate Airport (Restricted Area) Bye-laws.

**39.—**On request of the Director General, an aerodrome operator shall provide evidence of compliance with this Part in his approved Aerodrome Operator Security Programme.

Evidence of Compliance.

**40.—**An aerodrome operator shall designate, in his approved Aerodrome Operator Security Programme, an officer in his organization as the Aerodrome Security Co-ordinator, who shall be held responsible for the co-ordination of all aviation security policies, procedures and preventive measures applied at a designated airport.

Aerodrome Security Co-ordinator.

(2) An Aerodrome Security Co-ordinator shall serve as the primary contact of the aerodrome operator for security-related activities and communications with the Director General, as set forth in the approved Aerodrome Operator Security Programme.

**41.—**Where an aerodrome operator determines that a specific threat that jeopardizes the security of his aerodrome exists, he shall immediately take all of the measures necessary to ensure the safety of the aerodrome and persons at the aerodrome, including informing the appropriate aviation security officers and/or aviation security screening officers of the nature of the threat.

Measures in the event of specific Threat at Aerodrome.

**42.—**(1) An aerodrome operator who is made aware of a threat against an airport facility or any part of his aerodrome, or tenant restricted area that is under the control of a person carrying on any activity at or connected with his aerodrome, other than the aerodrome operator, he shall immediately :

Notification of Threat. Discovery of

**B 1184**

(a) notify the person in control of that facility or tenant restricted area of the nature of the threat ; and

(b) determine whether there is a specific threat that jeopardizes the security of the aerodrome.

(2) Where a person authorized to conduct any screening activity at an aerodrome is made aware of a threat against the aerodrome, such person shall :

(a) immediately notify the aerodrome operator of the nature of the threat ; and

(b) assist the aerodrome operator in determining whether there is a specific threat that jeopardizes the security of the aerodrome.

Discovery of Weapons, Incendiary Devices or Explosives at Aerodromes.

**43.—**(1) An aerodrome operator shall immediately notify the Appropriate Authority when there is :

(a) the discovery, at the aerodrome, of a weapon, other than an unloaded firearm allowed under regulations 32 (1) (a) or 49 ;

(b) the discovery, at the aerodrome, of an explosive substance or an incendiary device, other than an explosive substance or incendiary device allowed under the Act or regulations made thereunder ;

(c) an explosion at the aerodrome, unless the explosion is known to be the result of an excavation, a demolition, construction or the use of fireworks displays ; or

(d) a specific threat against the aerodrome.

Aerodrome Operator to keep Maps and Plans of Aerodrome.

**44.—**(1) An aerodrome operator shall keep at the aerodrome a certified copy of a current scale map and/or plan, certified by the Director-General, of the aerodrome and buildings located at that aerodrome, that identifies the restricted areas, enhanced security restricted areas and sterile areas, security barriers and restricted area access points, enhanced security restricted area access points, and sterile area access points. This map and/or plan is to be produced in accordance with the appropriate Airport (Restricted Area) Bye-laws.

Aerodrome Operator to Provide Information.

**45.—**(1) The aerodrome operator shall provide to the Appropriate Authority, on reasonable notice given by the Appropriate Authority, written or electronic records or other information relevant to the security of the aerodrome, including :

(a) information concerning the method of implementing the security measures that apply to the aerodrome operator under regulation 4(1) ; and

(b) a copy of the scale map and/or plan referred to in regulation 44.

(2) An aerodrome operator shall provide the Appropriate Authority with written notice of any new commercial air transportation service that is to commence operations at the airport terminal building.

PART V—AIRCRAFT OPERATOR SECURITY

Aircraft Operator Security Programme.

**46.** An aircraft operator having an approved Aircraft Operator Security Programme shall :

(a) maintain one complete copy of his approved Aircraft Operator Security Programme at his principal business office ;

(b) maintain a complete copy or the pertinent portions of his approved Aircraft Operator Security Programme at each designated aerodrome where security screening is being conducted ;



(c) make the documents under paragraphs (a) and (b), available for inspection upon request by the Director General ; and

(d) restrict the distribution, disclosure, and availability of sensitive security information only to persons who by their defined roles in the programme require to have such information for the performance of their function.

**47.—**(1) An aircraft operator shall ensure that at designated aerodromes screening is conducted of :

Screening of  
Passengers  
and Property.

(a) passengers, transit passengers, transfer passengers and crew travelling on his aircraft ;

(b) carry-on baggage of persons under paragraph (a) ;

(c) checked baggage of persons under paragraph (a) ; and

(d) other goods in the hold of his aircraft.

(2) Notwithstanding subsection (1), an aircraft operator may authorize the aerodrome operator of the aerodrome from which he operates or any other person to conduct the screening functions set out in his approved Aircraft Operator Security Programme.

(3) In giving an authorization to an aerodrome operator or any other person under subsection (2), the aircraft operator shall further instruct such aerodrome operator or person, to prohibit any passenger refusing to be screened from entry onto any of his aircraft.

(4) An aircraft operator or person authorized by him under subsection (2), shall use the procedures and the facilities and equipment described in his Aircraft Operator Security Programme :

(a) to prevent or deter the carriage of any weapon or incendiary device on or about the person of an individual or accessible property and the carriage of any weapon or incendiary device in checked baggage on aircraft ;

(b) to detect the existence of a weapon or incendiary device, to inspect each person entering a sterile area at each pre-boarding screening check point and to inspect all accessible property under the control of such person ; and

(c) to perform the following control functions with respect to each aircraft operation for which screening is required :

(i) prohibit unauthorized access to the aircraft ;

(ii) ensure that baggage carried in the aircraft is checked-in by a properly trained agent and that identification is obtained from all passengers and persons shipping goods or cargo on board the aircraft ;

(iii) ensure that cargo and checked baggage carried on board the aircraft are handled in a manner that prohibits unauthorized access ; and

(iv) conduct a security inspection of the aircraft before placing it in service and after it has been left unattended.

(5) An aircraft operator shall refuse to transport :

(a) any person who does not consent to an authorized search of his person when required to do so by the aircraft operator or person authorized to conduct such searches on his behalf ; and

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(b) any property of any person who does not consent to a search or inspection of that property in accordance with the screening system prescribed by subsection (1).

(6) A foreign aircraft operator shall not conduct a flight within Nigeria with a passenger on board who refuses to submit to a screening, required under these Regulations or while the carry on or checked baggage of such person is on board his aircraft.

(7) Notwithstanding being in possession of a boarding pass, where the pilot in command of an aircraft has reasonable grounds to believe that a person is in violation of this Part, the pilot in command may order that person to disembark such aircraft.

Prevention  
and  
management  
of Hijackings  
and Sabotage  
attempts.

**48.—**(1) An aircraft operator shall :

(a) assign an appropriately qualified and trained person as a Ground Security Co-ordinator to co-ordinate the ground security duties specified in his approved Aircraft Operator Security Programme ; and

(b) designate the pilot in command as the In-flight Security Co-ordinator for each flight, as required by his approved Aircraft Operator Security Programme to co-ordinate activities in response to threats of acts of unlawful interference.

(2) An aircraft operator shall, where directed by the Director-General, permit and facilitate the carriage of in-flight security officers on specific flights to prevent :

(a) unauthorized persons from gaining access to the flight deck ; and

(b) hijackings and other criminal acts on board the aircraft.

(3) In-flight Security Officers under this section, where required to be on board a flight, shall :

(a) prevent unauthorized persons from gaining access to the flight deck and prevent hijackings and other criminal acts on board the aircraft ; and

(b) conduct a crew briefing prior to departure to ensure the flight crew and cabin crew understand his/her role on board the aircraft.

Carriage of  
Weapons.

**49.—**(1) An aircraft operator shall not permit any person, who is not authorized, to have on or about his person or property, a weapon, either concealed or unconcealed, accessible to him while on board an aircraft.

(2) Subsection (1), shall not apply to in-flight security officers required to be on board under regulation 48.

(3) A person shall not, without authority, while on board an aircraft operated by an aircraft operator, carry on or about his person, a weapon, either concealed or unconcealed.

(4) An aircraft operator shall not knowingly permit any person to transport, nor shall any person transport or tender for transport, a weapon, incendiary device or loaded firearm in checked baggage on board an aircraft without proper authorization.

(5) For the purpose of this regulation, “a loaded firearm” means a firearm, which has inserted in it a live round of ammunition, cartridge, in the chamber or in a clip, magazine or cylinder.

(6) An aircraft operator shall not knowingly permit any person to transport, nor may any person transport or tender for transport, any unloaded firearm in checked baggage on board an aircraft unless :

(a) such person declares to the aircraft operator, either orally or in writing before tendering the baggage for the purpose of being checked in that he has a firearm carried in his/her checked baggage and it is unloaded ;

(b) the baggage or container in which a firearm is carried is locked ;

(c) the checked baggage or container containing the firearm is loaded on the aircraft in an area that is inaccessible to passengers ; and

(d) such person presents a licence for such firearm from the State that permits him to have in his possession such firearm, an export licence for such firearm from the State of departure and an import licence for such firearm to the State of destination.

(7) Where a firearm to be transported in checked baggage but is not secured in such checked baggage it shall be carried in the hold of the aircraft, in a container that the aircraft operator considers appropriate for air transportation.

**50.—**(1) An aerodrome operator, aircraft operator or person authorized to conduct screening on his behalf, shall not use any screening equipment systems within Nigeria to inspect carry-on or checked baggage unless specifically authorized under an approved Aircraft Operator Security Programme required by regulation 12 or an approved Aerodrome Security Programme required by Regulation 4.

Use of  
Screening  
Equipment.

(2) An aerodrome operator, aircraft operator, or any other person authorized to conduct screening on his behalf, may be authorized by the Appropriate Authority, to use X-ray systems for inspecting carry-on or checked baggage under an approved Aircraft Operator Security Programme, or Aerodrome Security Programme where he shows that :

(a) the X-ray system complies with the standards for X-ray systems designed primarily for the inspection of carry-on and checked baggage and meets the performance requirements set out by the Appropriate Authority in the National Civil Aviation Security Programme ;

(b) a programme for initial and recurrent training of operators of the system is established, which includes training in radiation safety, the efficient use of X-ray systems, and the identification of weapons and other dangerous articles, as prescribed in the National Aviation Security Training Programme ; and

(c) the system meets the imaging requirements described in the approved Aircraft Operator Security Programme, or Aerodrome Security Programme in accordance with the combined test requirements prescribed by the Appropriate Authority.

(3) An aerodrome operator, aircraft operator, or any other person authorized to conduct screening on his behalf, shall ensure that an X-ray system is not used :

(a) unless within the preceding twelve months, a test has been conducted which shows that the system meets the applicable performance standards or guidelines prescribed by the Director-General ;

(b) after the system is initially installed or after it has been moved from one location to another, a test has been conducted which shows that the system meets

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the applicable performance standards or guidelines prescribed by the Director-General ; and

(4) An aerodrome operator, aircraft operator, or any other person authorized to conduct screening on his behalf, shall maintain at least one copy of the results of the most recent test conducted under subsection (3) and shall make it available for inspection upon request by the Appropriate Authority at each of the following locations :

(a) the principal business office of the organization conducting the screening ; and

(b) the place where the X-ray system is in operation.

(5) An aerodrome operator, aircraft operator, or any other person authorized to conduct screening on his behalf, shall ensure that screening staff comply with X-ray operator duty time limitations specified in his Aircraft Operator Security Programme, or Aerodrome Security Programme.

Security  
Threats and  
Procedures.

**51.—(1)** Where an aircraft operator determines that there is a specific threat which jeopardizes the security of an aircraft or flight, he shall immediately take all of the measures necessary to ensure the safety of the aircraft, passengers and crew on board such aircraft, including :

(b) informing the pilot in command, the crew members assigned to the aircraft or flight, the aerodrome operator and the appropriate Police agency of the nature of the threat ;

(c) where the aircraft is on the ground, moving such aircraft to a place of safety at the aerodrome according to the directions of the aerodrome operator ; and

(d) the inspection of the aircraft and search of the passengers and goods on board such aircraft, unless the inspection and search are likely to jeopardize the safety of the passengers and crew members.

(2) Where the aircraft, under subsection (1), is on the ground, the pilot in command shall comply with any direction given by the aerodrome operator under subsection 1(a), or a member of the appropriate Police agency, unless complying with such direction is likely to jeopardize the safety of the passengers and crew members.

(3) Immediately upon receiving information that an act or suspected act of unlawful interference has been committed, the aircraft operator shall notify the Appropriate Authority.

(4) Where an aircraft operator determines that there is a specific threat which jeopardizes the security of a facility, a tenant restricted area, or part of an aerodrome under his control, he shall immediately take all of the measures necessary to ensure the safety of the facility, tenant restricted area or part of the aerodrome and persons at the facility, tenant restricted area or aerodrome, including informing the aerodrome operator and the appropriate Police agency of such threat.

(5) Where the aircraft under subsection (3), is in the airspace under the jurisdiction of a State other than Nigeria, the aircraft operator shall also notify the Appropriate Authority of the State in whose territory the aircraft is located and, if the aircraft is in flight, the Appropriate Authority of the State in whose territory the aircraft is to land.

(7) Upon receipt of a bomb threat against a specific aircraft, each aircraft operator shall attempt to determine whether or not any explosive or incendiary device is aboard the aircraft involved by doing the following :

- (a) conduct an analysis of the threat and classify the threat as :
  - (i) a hoax ;
  - (ii) non-specific ; or
  - (iii) specific ;

(b) in cases of (ii) and (iii), consider conducting a security inspection on the ground before the next flight or, where the aircraft is in flight, immediately after its next landing ; and

(c) where the aircraft is on the ground, advising the pilot in command of the results of the analysis and the proposed action to be taken ; or

(d) where the aircraft is in flight, immediately advising the pilot in command of all pertinent information available so that necessary emergency action can be taken.

(8) Where the aircraft is in flight, ensure the pilot-in-command notifies the appropriate air traffic control authority of the threat.

**52.—**(1) An aircraft operator shall immediately notify the Appropriate Authority when there is:

Reporting of Security Incidents.

- (a) a hijacking or attempted hijacking of an aircraft ;
- (b) the discovery, on board an aircraft, of a weapon, other than an unloaded firearm allowed under regulations 32 (1) (a) or 49 ;
- (c) the discovery, on board an aircraft, of an explosive substance or an incendiary device, other than an explosive substance or incendiary device allowed on board the aircraft under the Act or regulations made hereunder ;
- (d) an explosion on an aircraft ; or
- (e) a specific threat against an aircraft, a flight or a facility or part of an aerodrome under its control.

(2) An aircraft operator shall immediately notify the aerodrome operator when a weapon other than a firearm allowed under regulations 32 (1) (a), or 49, is detected in any part of the aerodrome under its control.

**53.—**(1) A person authorized to conduct screening activities shall immediately notify the appropriate aircraft operator, aerodrome operator, the Nigeria Police and the Appropriate Authority when any of the following is detected at a restricted area access point where screening is conducted of persons and carry-on baggage and other articles in the possession or control of persons who are screened :

Person Authorized to Conduct Screening Activities.

- (a) a weapon, other than a weapon allowed under regulations 32 (1) (a) or 49 ;
- (b) an explosive substance, other than :
  - (i) ammunition carried by a person allowed to carry or have access to a weapon or firearm under regulations 32(1)(a) and 49 ; or
  - (ii) an explosive substance allowed under the Act or regulations made thereunder ; or

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(c) an incendiary device, other than an incendiary device allowed under the Act or regulations made thereunder.

(2) A person authorized to conduct screening activities shall immediately notify the appropriate aircraft operator, the aerodrome operator, the appropriate Police agency and the Appropriate Authority when any of the following is detected in checked baggage :

- (a) a loaded firearm ;
- (b) an explosive substance, other than ammunition ; or
- (c) an incendiary device.

Security Information.

**54.** —(1) An aircraft operator shall where the Appropriate Authority provides reasonable notice, provide the Appropriate Authority, with a written or electronic record or other information relevant to the security of his operations, including :

- (a) information concerning the method of implementing the security measures that apply to the aircraft operator under regulation 4(2) ; and
- (b) a description of the nature of operations related to a particular flight and the services provided in respect of the flight.

Provision of Information to the Appropriate Authority on the Security of Operations by Service Providers.

**55.** —(1) A person who provide services to an aircraft operator and a person who provides a service related to the transportation of goods by air, shall provide to the Appropriate Authority, on reasonable notice given by the Appropriate Authority, written or electronic records or other information relevant to the security of the operations of the aircraft operator, including :

- (a) information concerning the method of implementing the security measures that apply to those persons under regulation 4 (2) ; and
- (b) a description of the nature of the operations related to a particular flight and the services provided in respect of the flight.

Provision of Information to the Appropriate Authority on the Security of Operations by Screening Personnel.

**56.** —(1) A person authorized to perform screening on behalf of an aircraft operator shall provide to the Appropriate Authority, on reasonable notice given by the Appropriate Authority, written or electronic records or other information relevant to the security of his screening operations, including :

- (a) information concerning the method of implementing the security measures that apply to it under regulation 4 (2) ; and
- (b) a description of the nature of the screening operations related to a particular flight or at a particular aerodrome.

Use of Explosives Detection Systems.

**57.** —(1) Where required by the Appropriate Authority, an aerodrome operator, aircraft operator, or any other person acting on his behalf, required to conduct screening under a security programme shall use an explosive detection system that has been approved by the Appropriate Authority to screen checked baggage in accordance with his Aircraft Operator Security Programme, or Aerodrome Security Programme.

**58.**—(1) An aircraft operator, when required to carry a passenger who is the subject of judicial or administrative proceedings, shall only do so once appropriate security controls have been applied to the passenger in question, including notification to the pilot-in-command.

Carriage of  
Passengers  
under  
Administra-  
tive or  
Judicial  
Control.

(2) An aircraft operator shall ensure that prior to departure :

(a) the aircraft is equipped with adequate restraining devices to be used in the event restraint of any passenger becomes necessary ;

(b) each passenger travelling under subsection (1), has been searched and does not have on or about his person or property anything that can be used as a weapon ; and

(c) each passenger travelling under subsection (1), whether under the control of an escort officer or not, under this regulation, is :

(i) boarded before any other passengers when boarding at the aerodrome from which the flight originates and deplaned at the destination after all other deplaning passengers have deplaned ;

(ii) seated in the rear-most passenger seat when boarding at the aerodrome from which the flight originates ; and

(iii) seated in a seat that is not located close to or directly across from any exit.

(3) An aircraft operator operating an aircraft under subsection (1), shall not :

(a) serve food, beverage, or provide eating utensils made of metal to a passenger under such judicial or administrative proceedings while on board such aircraft unless authorized to do so ; or

(b) serve any escort officer, or the passenger under the control of the escort officer, any alcoholic beverages while on board such aircraft.

(4) In cases where an escort officer is also carried under the provisions of subsection (1), the escort officer shall, at all times, accompany the passenger under his control and keep the passenger under surveillance while on board the aircraft including visits to the lavatory.

(5) This regulation shall not apply to the carriage of passengers under voluntary protective escort.

**59.**—(1) An aircraft operator shall not use any person as a Security Co-ordinator unless, within the preceding twelve months, such person has satisfactorily completed the required security training specified in his approved Aircraft Operator Security Programme and required by the National Civil Aviation Security Training Programme.

Training.

(2) A national aircraft operator shall not use any person as a crewmember on any domestic or international flight unless within the preceding twelve months that person has satisfactorily completed the security training required by Part III of these Regulations as specified in his approved Aircraft Operator Security Programme and the National Civil Aviation Security Training Programme.

**60.**—(1) An aircraft operator, or aerodrome operator, shall ensure that :

(a) a person authorized to perform a security related function on his behalf has knowledge of :

Standards for  
Security  
Oversight.

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(i) the provisions of Part IV of these Regulations, applicable security directives and information circulars promulgated pursuant to regulation 83 ; and

(ii) elements of the approved Aircraft Operator Security Programme or Aerodrome Operator Security Programme required for the performance of his functions ;

(b) the Security Co-ordinator of the aircraft operator, or aerodrome operator at each aerodrome :

(i) reviews daily all security-related functions for effectiveness and compliance with :

(a) this Part ;

(b) the approved Aircraft Operator Security Programme or Aerodrome Operator Security Programme ; and

(c) applicable security directives ; and

(ii) immediately initiates corrective action for each instance of non-compliance with :

(a) this Part ;

(b) the approved Aircraft Operator Security Programme or Aerodrome Operator security Programme ; and

(c) applicable security directives.

(2) The requirements prescribed under subsection (1), shall apply to all security-related functions performed for the aircraft operator, or aerodrome operator, whether by his employee or the employee of a contractor.

(3) An aircraft operator, or aerodrome operator, conducting operations in Nigeria shall not use any person to perform any required screening function, unless such person has :

(a) a combination of education and experience, which the Appropriate Authority has determined is necessary for the person to perform his duties and as stipulated in the National Aviation Security Training Programme and National Aviation Security Quality Control Programme ;

(b) the following basic aptitudes and physical abilities :

(i) the ability to distinguish on the X-ray monitor the appropriate imaging standard specified in his national aircraft operator security programme, or aerodrome security programme including the perception of colours where displayed by the X-ray system ;

(ii) the ability to distinguish each colour displayed on every type of screening equipment and explain what each colour signifies ;

(iii) the ability to hear and respond to the spoken voice and to audible alarms generated by screening equipment in an active check point environment ;

(iv) the ability to efficiently and thoroughly manipulate and handle such baggage, containers, and other objects subject to security processing ; and

(v) the ability to have sufficient dexterity and capability to conduct partial and full body searches or hand held metal detector searches in accordance with the guidelines prescribed by the Appropriate Authority ;



(c) the ability to read, write, and speak the English Language well enough to :

(i) carry out written and oral instructions in the English Language regarding the proper performance of screening duties ;

(ii) read English Language airport restricted area permits, credentials, airline tickets, and labels on items normally encountered in the screening process ;

(iii) provide direction to and understand and answer questions from English-Speaking persons undergoing screening ; and

(iv) write incident reports and statements and log entries into security records in the English Language ; and

(d) satisfactorily completed all initial, recurrent, and appropriate specialized aviation security training required by the Aircraft Operator Security Programme, Aerodrome Operator Security Programme and the National Aviation Security Training Programme.

(4) An aircraft operator, or aerodrome operator, shall not use a person to perform a screening function after that person has failed an operational test related to that function, until such person has successfully completed the remedial training specified in his Aircraft Operator Security Programme, or Aerodrome Security Programme, and has passed a re-test related to that function.

(5) An aircraft operator, or aerodrome operator shall ensure that a Security Co-ordinator conducts and documents an annual evaluation of each person assigned screening duties and may continue the employment of that person in a screening capacity only upon the determination by that Security Co-ordinator that the person :

(a) has not suffered a significant diminution of any physical ability required to perform a screening function since the last evaluation of those abilities ;

(b) has a satisfactory record of performance and attention to duty ; and

(c) demonstrates the current knowledge and skills necessary to courteously, vigilantly, and effectively perform screening functions.

(6) Subsections (1) through (5), shall not apply to those aviation security screening functions conducted outside Nigeria over which the national aircraft operator does not have operational control.

(7) At locations outside Nigeria where the national aircraft operator has operational control over a screening function, he may use aviation security screeners who do not meet the requirements of subsection (3)(c), provided that at least one of his representatives who has the ability to functionally read and speak the English language is present while the passengers of the aircraft operator are undergoing security processing

#### PART VI—CARGO AND REGULATED AGENT SECURITY

**61.** —(1) No aircraft operator shall accept consignments of cargo, courier and express parcels or mail for carriage on passenger flights unless the security of such consignments is accounted for by a regulated agent that is approved by the Appropriate Authority, or such consignments are subjected to other security controls, that are approved by the Appropriate Authority, to safeguard such aircraft against an act of unlawful interference.

Security  
Controls  
over Cargo.

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Aviation  
Security  
Responsibilities of a  
Regulated  
Agent.

**62.—**(1) A regulated agent prior to accepting goods for transport in an aircraft shall carry out such security controls as are specified in his approved Regulated Agent Security Programme.

(2) An approved regulated agent who offers goods to an aircraft operator for transport by aircraft shall produce and make available to the aircraft operator, and the Appropriate Authority on demand, shipping documents, records of goods accepted and offered for air transport, employee training records, airway bills and valid consignment security declarations.

Responsibility of the  
Aircraft  
Operator  
Receiving  
Goods from  
a Regulated  
Agent.

**63.—**(1) An aircraft operator accepting goods for transport on his aircraft :

(a) may conduct screening of such shipments of goods ; and

(b) shall ensure :

(i) the safeguarding of such goods against unlawful interference until such goods have been placed in the aircraft ;

(ii) that his shipments of goods are recorded ; and

(iii) that whenever the goods are received from an approved regulated agent such goods are delivered by an authorized employee of such regulated agent.

(2) An aircraft operator shall not accept any goods for transport by aircraft unless the documentation for such goods is examined for inconsistencies and is accompanied by a valid consignment security declaration.

(3) An aircraft operator shall not accept any goods, from a regulated agent, for transport by aircraft unless that regulated agent is an accepted and accredited regulated agent as determined by the Appropriate Authority :

(4) An aircraft operator shall provide an approved regulated agent with all the necessary information in order that he is able to comply with the Technical Instructions.

(5) An aircraft operator shall make available to the Director- General a report of any incident where an airway bill or equivalent document did not provide an accurate record of the goods being offered for air transport.

(6) An aircraft operator, except as provided in the Technical Instructions, shall not place in an aircraft any goods that are not acceptable.

Inspection of  
Goods  
Offered for  
Transport by  
Regulated  
Agent.

**64.—**(1) An aircraft operator may inspect any goods or any package, or container having goods offered for transport by air by a regulated agent.

(2) Where an inspection is conducted pursuant to subsection (1), a regulated agent or a representative of the regulated agent may observe the inspection.

(3) In the absence of a regulated agent, or a representative of a regulated agent, an aircraft operator may use such force as is necessary to access the contents of any package or container containing goods offered for transport by air by such regulated agent, representative of a regulated agent or aircraft operator.

(4) Where an inspection is conducted by an aircraft operator pursuant to subsection (1), the package, container or goods shall remain in possession of the aircraft operator until after the inspection is complete.

(5) Where an inspection of goods under this regulation provides evidence of a breach of this Part, the national aircraft operator shall maintain possession of the goods offered for air transport by a regulated agent and the airway bill and inform the Appropriate Authority in the prescribed form.

**65.—**(1) An aircraft operator accepting goods from a consignor, or any authorised representative of the consignor, that is not a regulated agent approved by the Appropriate Authority, must conduct screening of those goods to determine that they do not contain any weapons, explosives or other dangerous devices, prior to them being carried on any aircraft.

Screening of Cargo.

**PART VII—FLIGHT CATERING OPERATOR SECURITY**

**66.—**(1) A flight catering operator prior to accepting raw materials and equipment for preparation as catering supplies for transport in an aircraft shall follow such procedures as are specified in his Flight Catering Operator Security Programme that has been approved by the Director-General.

Aviation Security Responsibilities of a Flight Catering Operator.

(2) An approved flight catering operator who offers catering stores and supplies to an aircraft operator for transport by aircraft shall produce and make available to the aircraft operator, and the Appropriate Authority on demand, shipping documents, records of raw materials and equipment accepted and catering stores and supplies offered for air transport, employee training records and other accountable catering documents.

**67.—**(1) An aircraft operator accepting catering stores and supplies for transport on his aircraft from an approved flight catering operator :

Responsibility of the Aircraft Operator receiving Catering Stores and supplies from a Flight Catering Operators.

(a) will ensure that all catering supplies are properly recorded on documentation and are secured through the use of catering seals ;

(b) may accept the integrity of the catering if he is satisfied the seals and documentation are in order and that the catering shows no signs of being tampered with ;

(c) may conduct screening of such shipments of catering if the seals and documentation do not match, or if the catering shows any sign of having been tampered with ; and

(d) will ensure that whenever the catering supplies and stores are received, such catering supplies and stores are delivered by an authorized employee of such approved flight catering operator.

(2) An aircraft operator shall not accept any catering supplies and stores for transport by aircraft unless the documentation for such catering supplies and stores is examined for inconsistencies and is accompanied by a valid security declaration.

(3) An aircraft operator shall not accept any catering supplies and stores, from a flight catering operator, for transport by aircraft unless the flight catering operator is in possession of an approved Flight Catering Operator Security Programme, approved by the Appropriate Authority.

(4) An aircraft operator shall make available to the Director-General a report of any incident where a catering or equivalent document did not provide an accurate record of the catering supplies and stores being offered for air transport.

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Inspection of  
Catering  
Supplies.

(5) An aircraft operator, except as provided in the Technical Instructions, shall not place in an aircraft any catering supplies and stores that are not acceptable.

(6) An aircraft operator shall preserve for not less than one year any record of acceptance checklists and inspections carried out under this Part.

**68.**—(1) An aircraft operator may inspect any catering supplies and stores or any package, or container having catering supplies and stores offered for transport by air by an approved flight catering operator.

(2) Where an inspection is conducted pursuant to subsection (1), a flight catering operator or a representative of the flight catering operator may observe the inspection.

(3) In the absence of a flight catering operator, or a representative of a flight catering operator, an aircraft operator may use such force as is necessary to access the contents of any package or container containing catering supplies and stores offered for transport by air by such flight catering operator, or representative of a flight catering operator.

(4) Where an inspection is conducted by an aircraft operator pursuant to subsection (3), the package, container or catering supplies and stores shall remain in possession of the aircraft operator until after the inspection is complete.

(5) Where an inspection of catering supplies and stores under this regulation provides evidence of a breach of this Part, the aircraft operator shall maintain possession of the catering supplies and documentation and inform the Appropriate Authority in the prescribed form.

**PART VIII—TENANT RESTRICTED AREA SECURITY**

TRA  
Requirements.

**69.**—(1) A Tenant Restricted Area (TRA) operator at, or in connection with, any designated aerodrome, will take such measures as required by the Appropriate Airport Authority to protect his TRA, and the aerodrome associated with the TRA, to prevent weapons, explosives or any other dangerous devices which may be used to commit an act of unlawful interference, the carriage or bearing of which is not authorized, from being introduced, by any means whatsoever, on board an aircraft engaged in civil aviation.

(2) In carrying out the requirements of subsection (1), a TRA operator will comply with regulations 4 and 17 of these regulations, the appropriate Airport (Restricted Area) Bye-laws in force, and the terms and conditions of his approved Tenant Restricted Area Operator Security Programme.

**PART IX—QUALITY CONTROL**

Objectives  
and Content  
of Quality  
Control  
Programme.

**70.**—(1) The quality control programme shall contain all necessary quality control monitoring measures taken to assess on a regular basis the implementation of the national civil aviation security programme, including the policies on which they are based.

(2) The quality control programme shall be in such form and include such elements as are stipulated within the National Civil Aviation Security Programme (NCASP).

**71.—**(1) The implementation of the national civil aviation security programme shall be monitored by NCAA for compliance by all stakeholders.

Compliance Monitoring.

(2) Monitoring shall be undertaken in accordance with the approved National Civil Aviation Security Quality Control Programme (NCASQCP), taking into consideration the threat level, type and nature of the operations, standard of implementation, and other factors and assessments which will demand for more frequent monitoring.

(3) The management, setting of priorities and organisation of the quality control programme shall be undertaken independently from the operational implementation of the measures taken under the National Civil Aviation Security Programme (NCASP).

(4) The Director-General may in writing require any person who :

(a) is required to hold an aviation security programme ; or

(b) operates, maintains, or services, or does any other act in respect of any aircraft, aeronautical product, aviation related service, air traffic service, or aeronautical procedure, to undergo or carry out such inspections and audits and such monitoring as the Director-General considers necessary in the interests of civil aviation security.

(5) The Director-General may, in respect of any person described in paragraph (a) or paragraph (b) of subsection (4) of this section, carry out such inspections, audits and monitoring as the Director-General considers necessary in the interests of civil aviation security.

(6) For the purposes of any inspection, audit or monitoring carried out in respect of any person under subsection (5) of this section, the Director-General may in writing require from that person such information as the Director-General considers relevant to the inspection, audit or the monitoring.

**72.—**(1) The NCAA shall ensure that auditors performing functions on behalf of the Appropriate Authority shall have appropriate qualifications, which shall include sufficient theoretical and practical experience in the relevant field.

Qualification Criteria for Auditors.

(2) The auditors shall have :

(a) a good understanding of the national civil aviation security programme and how it is applied to the operations being examined ;

(b) where appropriate, knowledge of the more stringent measures as applicable in the location being examined ;

(c) a good working knowledge of security technologies and techniques ;

(d) a knowledge of audit principles, procedures and techniques ;

(e) a working knowledge of the operations being examined.

**73.—**(1) The Director-General may, in writing, require any holder of an approved aviation security programme to undergo an investigation conducted by the Director-General if the Director-General believes, on reasonable grounds, that it is necessary in the interests of civil aviation security, and if the Director-General :

Power of Investigation.

(a) has reasonable grounds to believe that the holder has failed to comply with any conditions of an aviation security programme ; or

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(b) considers that the privileges or duties for which the security programme has been approved, are being carried out by the holder in a careless or incompetent manner.

(2) If the Director-General requires a holder of an approved security programme to undergo an investigation, the Director-General must :

(a) conclude the investigation as soon as practicable ; and

(b) inform the holder, in writing, of :

(i) the date on which the investigation will begin ; and

(ii) the results of the investigation, including :

(a) any recommendations arising out of the investigation ; and

(b) the grounds for those recommendations.

Power to  
Suspend  
Security  
Programme.

**74.—**(1) The Director-General may suspend any aviation security programme approved under these regulations or impose conditions in respect of any such security programme if he or she considers such action necessary in the interests of security, and if he or she :

(a) considers such action necessary to ensure compliance with these regulations ;

(b) is satisfied that the holder has failed to comply with any conditions of an aviation security programme ; or

(c) considers that the privileges or duties for which the security programme has been approved are being carried out by the holder in a careless or incompetent manner.

General  
Power of  
Entry.

**75.—**(1) For the purpose of carrying out his or her functions, duties, or powers under these regulations, every person duly authorised by the Director-General shall have right of access at any reasonable time to the following :

(a) any aircraft, aerodrome, building, or place ; and

(b) any document or record concerning any aircraft, aeronautical product, or aviation related service.

(2) Without limiting the power conferred by subsection (1) of this section, every person duly authorised by the Director-General who has reasonable grounds to believe that :

(a) any breach of these regulations is being or about to be committed ;

(b) a condition imposed under any civil aviation security programme is not being complied with ; or

(c) a situation exists within the civil aviation system or is about to exist that constitutes a danger to persons or property, may at any reasonable time enter any aircraft, aerodrome, building, or place, and carry out an inspection to determine whether or not a matter referred to in paragraphs (a) to (c) of this subsection exists.

(3) Every person who is authorised to have access to or to enter any aircraft, aerodrome, building, or place under subsection (1) or subsection (2) :

(a) may require any person who is in possession of an aviation security programme, or of any certificate, book, manual, record, list, notice, or other document that is required to be kept under these regulations, to produce or surrender it ; and

(b) must, if a document is surrendered under paragraph (a), inform the relevant aviation document holders orally, as soon as practicable, and in writing that the document has been surrendered.

(4) Nothing in subsection (1) or subsection (2) of this section shall confer on any person the power to enter any dwelling house, unless the entry is authorised by a warrant given by a judicial officer on written application on oath, which shall not be granted unless the judicial officer is satisfied that the entry is essential to enable the inspection to be carried out.

(5) Every warrant issued under subsection (4) of this section shall be directed to a named person and shall be valid for a period of 1 month from the date of its issue or such lesser period as the judicial officer considers appropriate; and the period of validity shall be shown in the warrant.

(6) Every person exercising the power of entry conferred by subsection (1) or subsection (2) of this section shall carry a proof of identity and authority, issued by the Director-General specifying :

(a) the name and the office or offices held by the person ; and

(b) that the person is authorised by the Director General to exercise the power conferred by subsections (1) and (2) of this section to enter aircraft, aerodromes, buildings, and places, and to carry out such inspection.

(7) Every person exercising the power of entry conferred by subsection (1) and (2) of this section shall produce the warrant of authority and evidence of identity :

(a) If practicable on first entering the aircraft, aerodrome, building, or place ; and

(b) Whenever subsequently reasonably required to do so.

**76.—**(1) The NCAA shall give at least two months' notice to the facility operator or service provider that is the subject of a security audit.

Notification  
of audits.

(2) When an airport is to be audited, the NCAA shall notify the appropriate airport authority accordingly.

(3) When giving notice of an audit to the facility operator or service provider being audited, the NCAA shall communicate a pre-audit questionnaire, for completion by the facility operator or service provider and a request for the following security documents ;

(a) the approved facility or service provider security programme (where applicable) ;

(b) records, and results of any internal quality assurance audits undertaken ;

(c) results of any investigations conducted into security incidents since the date of the last audit ; and

(d) results of previous audits and/or inspections carried out by Appropriate Authority designated auditors.

(4) The completed questionnaire and the documents requested shall be submitted to the NCAA within four (4) weeks of receipt of the audit notification.

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Conduct of Inspections and Audits.

**77.—**(1) A standard methodology shall be used to monitor compliance with the requirements laid down in the national civil aviation security programme and relevant facility or service provider security programme.

(2) Facility operators or service providers shall ensure that NCAA auditors are accompanied at all times during the inspection or audit.

(3) NCAA auditors shall carry an identity card authorising inspections and audits on behalf of the Appropriate Authority and an airport identification card allowing access to all areas required for inspection and audit purposes.

(4) Tests shall only be performed after advance notification and agreement, in close coordination with the facility operator or service provider, to ensure their security, safety and effectiveness.

(5) Without prejudice to Regulation 80, the NCAA auditors shall, wherever appropriate and practicable, deliver an informal oral summary of their findings on the spot. In any case, the facility operator or service provider shall be informed promptly of any serious deficiencies identified by an NCAA inspection and/or audit.

Failure to Comply with Inspection Request.

**78.—**(1) Every person commits an offence who, without reasonable excuse, fails to comply with any requirement of the Director General under subsection (4) of Regulation 71.

(2) Every person who commits an offence against subsection (1) of this section is liable :

(a) In the case of an individual, to a fine not exceeding  $\times 100,000.00$  and, if the offence is a continuing one, to a further fine not exceeding  $\times 200,000.00$  for every day or part of a day during which the offence is continued ; or

(b) In the case of a body corporate, to a fine not exceeding  $\times 500,000.00$  and, if the offence is a continuing one, to a further fine not exceeding  $\times 1,000,000.00$  for every day or part of a day during which the offence is continued.

Obstruction of Authorised Persons.

**79.—**(1) Every person commits an offence who obstructs or impedes any person who is duly authorised by the Director-General and acting in the performance or exercise of any functions, duties, or powers conferred on him or her by these regulations, and is liable ;

(a) In the case of an individual, to imprisonment for a term not exceeding 24 months or a fine not exceeding  $\times 50,000.00$  ; or

(b) In the case of a body corporate, to a fine not exceeding  $\times 1,000,000.00$ .

(2) Subsection (1) of this section shall apply only where the person obstructed or impeded produces evidence of his or her authority.

Inspection and/or Audit Report.

**80.—**(1) Within six weeks of completion of an inspection or audit, an appropriate report shall be communicated by the NCAA to the appropriate facility operator or service provider.

(2) The report shall identify findings established during the inspection or audit and deficiencies. The report may contain recommendations for remedial action.



(3) When assessing the implementation of the terms of the individual facility operator's, or service provider's approved security programme, and the requirements of the national civil aviation security programme, the following classifications shall apply :

- (a) fully compliant ;
- (b) compliant, but improvement desirable ;
- (c) not compliant, with minor deficiencies ;
- (d) not compliant, with serious deficiencies ;
- (e) not applicable ;
- (f) not confirmed.

**81.**—(1) Within two (2) months of the date of dispatch of an inspection or audit report, the facility operator or service provider shall submit in writing to the NCAA an answer to the report which :

Facility  
Operator or  
Service  
Provider  
Answer.

- (a) addresses the findings and recommendations ;
- (b) provides an action plan, specifying actions and deadlines, to remedy any identified deficiencies.

(2) Where the inspection or audit report identifies no deficiencies, no answer shall be required.

**PART X—MISCELLANEOUS**

**82.**—(1) For the purpose of these Regulations the following information and records containing such information constitute sensitive security information :

Protection of  
Sensitive  
Security  
Information.

- (a) an approved security programme for an aircraft operator, aerodrome operator, regulated agent, flight catering operator, or tenant restricted area operator ;
- (b) any security programme that relates to transportation by air and any comments, instructions or implementing guidance pertaining thereto ;
- (c) security directives, information circulars and any comments, instructions or implementing guidance pertaining thereto ;
- (d) any profile used in any security screening process, including for persons, baggage or cargo ;
- (e) any security contingency plan or information and any comments, instructions, or implementing guidance pertaining thereto ;
- (f) technical specifications of any device used for the detection of any deadly or dangerous weapon, explosive, incendiary, or destructive substance ;
- (g) a description of, or technical specifications of, objects used to test screening equipment ;
- (h) communication procedures and technical specifications of any security communication equipment ;
- (i) any information that the Director-General has determined may reveal a systemic vulnerability of the aviation system or a vulnerability of aviation facilities, to attack ;
- (j) information concerning threats against civil aviation released by the Appropriate Authority ;

**B 1202**

(k) specific details of aviation security measures whether applied directly by the Appropriate Authority or regulated parties and includes, but is not limited to, information concerning specific numbers of aviation security officers and aviation security screening officers, deployments or missions, and the methods involved in such operations ;

(l) any other information, the disclosure of which the Appropriate Authority has prohibited ; and

(m) any draft, proposed or recommended change to the information and records identified in these Regulations.

Issue of  
Security  
Directives.

**83.—**(1) The Authority may, for the purpose of implementation of any of the Security Programmes required under these Regulations; issue a security directive to any person to whom subsection (3) applies requiring him to take such measures as are specified in the directive.

(2) Where the Appropriate Authority intends to issue a security directive, they may seek the advice of the National Aviation Security Committee on the proposed directive before issuing it.

(3) This subsection applies to :

(a) the Airport Authority ;

(b) the manager of an aerodrome other than an aerodrome which is principally used by aircraft in military service ;

(c) any operator of an aircraft registered or operating in Nigeria ;

(d) any person who occupies any land forming part of an aerodrome ;

(e) any person who is permitted to have access to a restricted area in an aerodrome for the purposes of the activities of a business carried on by him ;

(f) any person who manages navigational or other aviation related facilities that are important to the continued operation of international civil aviation ; and

(g) any person who carries on a business :

(i) which involves handling of any article intended to be carried into an aerodrome for any purpose ;

(ii) which involves provision of service by personnel who have access to a restricted area ; or

(iii) which, in the opinion of the Authority, otherwise impinges on the security of an aerodrome.

(4) The Appropriate Authority may, by a security directive :

(a) revoke wholly or partly another security directive issued previously ; and

(b) modify another security directive issued previously in such manner as he thinks fit.

(5) Any person who without reasonable excuse fails to comply with the requirements of a security directive issued to him commits an offence and is liable on conviction, to a fine of not less than Fifty Thousand Naira for an individual and not less than two hundred and fifty thousand naira for a corporate body or imprisonment for 2 years.

(6) Where a person is convicted of an offence under subsection (5) then, if without reasonable excuse the failure in respect of which he was convicted is continued after the conviction, he shall be guilty of a further offence and liable on conviction to a fine not less than two hundred thousand naira (×200,000.00) for each day on which such further offence continues.

**84.—**(1) A security directive shall be issued in writing.

(2) A security directive may :

(a) be either of a general or of a specific character ;

(b) require any measure to be taken, or require any person not to cause or permit anything to be done, at such time and during such period as may be specified in the directive ;

(c) require different measures be taken in relation to different kinds or level of threat specified in the directive ;

(d) specify :

(i) the minimum number of persons to be employed for the purposes of implementing any measures required to be taken by the person to whom it is issued ;

(ii) the manner in which persons employed for such purposes are to be deployed ; and

(iii) the qualifications which persons employed for such purposes are to have ; and

(e) specify any apparatus, equipment or other aids to be used for such purposes.

(3) A security directive to any person not to cause or permit anything to be done shall be construed as requiring him to take all such steps as in any particular circumstances are practicable and necessary to prevent that thing from being done.

(4) A security directive may be issued to a person appearing to the Appropriate Authority to be about to become a person to whom Section 75(3) applies, but a security directive issued to a person by virtue of this subsection shall not take effect until he becomes such a person, and, in relation to a security directive so issued, the preceding provisions of this section shall apply with the necessary modifications.

**85.—**(1) Any person who receives a security directive shall :

(a) no later than twenty-four hours after delivery by the Appropriate Authority or within the time prescribed in the security directive, acknowledge receipt of such security directive ;

(b) within the time prescribed in such security directive, specify the method by which the aerodrome operator, aircraft operator, flight catering operator, regulated agent, or tenant restricted area operator has implemented or plans to implement the measures contained in the security directive ; and

(c) ensure that information regarding the security directive and measures implemented in response to such security directive are distributed to specified personnel as prescribed in the security directive and to other personnel who require to have such information for the performance of their functions.

Requirements  
of Security  
Directives.

Implementa-  
tion of  
Security  
Directives.

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(2) In the event that an aerodrome operator, aircraft operator, flight catering operator, regulated agent, or tenant restricted area operator is unable to implement the measures contained in the security directive, received under subsection (1), he shall submit proposed alternative measures, to the Director-General within the time frame for compliance prescribed in the security directive.

(3) The Director-General shall review alternative measures submitted by the aerodrome operator, aircraft operator, catering operator, regulated agent, or tenant restricted area operator, under subsection (2), and where he is satisfied that they meet the requirements of the security directive, he may recommend the Appropriate Authority approve such alternative measures.

(4) The aerodrome operator, aircraft operator, flight catering operator, regulated agent, or tenant restricted area operator shall implement any alternative measures approved by the Appropriate Authority under subsection (3).

(5) Any person who receives a security directive or information circular, under Regulation 83, shall :

(a) restrict the availability of the security directive or information circular and information therein to those persons who require such information for the performance of their functions ; and

(b) refuse to release the security directive or information circular and information regarding the security directive or information circular to other persons without the prior written consent of the Appropriate Authority.

Objection to  
Security  
Directives.

**86.—**(1) A person to whom a security directive is issued may serve on the Appropriate Authority a notice in writing objecting to the directive, on the grounds that the measures specified in the directive :

(a) are unnecessary and should be dispensed with ; or

(b) are excessively onerous or inconvenient and should be modified.

(2) Where the person to whom a security directive is issued serves a notice under subsection (1) objecting to the directive, the Appropriate Authority shall consider the grounds of the objection and, if so requested by the objector, shall afford to him a reasonable opportunity of appearing before and being heard by a public officer appointed by the Authority for this purpose, who shall then decide on the objection by :

(a) confirming the directive as originally issued ;

(b) confirming the directive subject to one or more modifications specified in the notice served under subsection (3) ; or

(c) withdrawing the directive.

(3) A decision under subsection (2) shall be notified to the objector by the Appropriate Authority by a notice in writing.

Search of  
Persons and  
Goods.

**87.—**(1) A person who, prior to entering a restricted area, enhanced security restricted area or sterile area is required by an aviation security officer or aviation security screening officer :

(a) to submit to a search of his person ;

(b) to permit a search to be carried out of the goods that such person intends to take or have placed on board an aircraft or take into a restricted area ; or

(c) to submit to a search of a vehicle or other means of conveyance, under his control, shall not board, and shall not be allowed to board the aircraft, or enter the restricted area, enhanced security restricted area or sterile area unless he submits to a search or permits a search to be carried out, as the case may be.

(2) Where a person is given an order by an aviation security officer or aviation security screening officer pursuant to subsection (1), the person shall thereupon leave the restricted area, enhanced security restricted area or sterile area immediately and remove the goods, vehicle or means of conveyance in his possession from the restricted area, enhanced security restricted area or sterile area.

(3) A person under subsection (1) or (2) who is requested to leave a restricted area, enhanced security restricted area or sterile area shall be escorted out of such restricted area, enhanced security restricted area or sterile area by an aviation security officer or aviation security screening officer.

**88.—**(1) A person shall not carry, or attempt to carry, weapons, prohibited items or other dangerous devices not authorized for transport, in carry-on baggage or in hold baggage, on board an aircraft.

Passengers  
and Members  
of the Public.

(2) A person shall not make a false statement to an aviation security officer, an aviation security screening officer, an aircraft operator, or a member of the Nigerian Police assigned to aerodrome duties, in regard to possession of a weapon, incendiary device or any other dangerous device.

(3) A person shall not enter or remain in any part of an aerodrome that is not a public area where a notice is given orally by the aerodrome operator, aerodrome tenant, aircraft operator or by a posted sign stating that trespassing is prohibited, or that entry is restricted to authorized persons as stipulated in the appropriate Airport Bye-laws.

(4) Where a person has been ordered to disembark an aircraft in accordance with regulation 30 , he shall disembark the aircraft and remove his carry-on baggage and have his checked baggage removed from the aircraft.

**89.—**(1) A person shall be allowed access to aerodrome restricted areas in accordance with the requirements of the appropriate Airport (Restricted Area) Bye-laws.

Access to  
Aerodrome  
Restricted  
Areas.

(2) A person, who has been granted access to a restricted area of an aerodrome, shall only access or attempt to access such restricted area at a designated restricted area access control point.

(3) Subject to subsection (4), a person shall not :

(a) provide another person with physical access to a restricted area where the latter has not been issued with a restricted area permit ; or

(b) assist another person in gaining physical access to a restricted area where the latter has been issued a restricted area permit but does not have such restricted area permit in his possession.

**B 1206**

(4) Notwithstanding subsection (3), a person may enter certain restricted areas of an aerodrome where such person :

(a) has a valid boarding pass issued by an aircraft operator, is proceeding to the assigned gate for the purpose of boarding an aircraft and has been subject to the screening requirements of these Regulations ; or

(b) he/she is identified in the emergency response plan of the aerodrome operator and is attending to an aerodrome emergency.

Restriction on Entry into Enhanced Security Restricted Areas and Sterile Area.

**90.**—A person shall not enter an enhanced security restricted area or a sterile area unless he has been screened and cleared for entry by an aviation security officer or aviation security screening officer.

Submission to Screening.

**91.**—A person shall not enter an enhanced security restricted area or sterile area without submitting to the screening of his person and property in accordance with the procedures being applied to control access to that area under regulation 37.

Offences and Penalties.

**92.**—Any person who contravenes any of these regulations shall be guilty of an offence and shall be liable upon conviction to a fine of not less than fifty thousand naira (₦50,000) and to imprisonment for a term not less than two years.