

AIR NAVIGATION ACT
(CHAPTER 6, SECTION 3)

AIR NAVIGATION (AVIATION SECURITY) ORDER

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[18th October 2006]

PART I

PRELIMINARY

Citation

1. This Order may be cited as the Air Navigation (Aviation Security) Order.

Application

2.—(1) Except where otherwise expressly provided, this Order shall apply —

- (a) to any aircraft registered or operating in Singapore for the purpose of commercial air transport, general aviation or aerial work operations;
- (b) to any aircraft operator operating any aircraft in Singapore for all or any of the purposes specified in sub-paragraph (a);

- (c) to any airport in Singapore which is used for all or any of the purposes specified in sub-paragraph (a); and
- (d) to any airport operator operating an airport in Singapore for all or any of the purposes specified in sub-paragraph (a).

[S 481/2012 wef 26/09/2012]

(2) Unless the context otherwise requires, this Order shall not apply to military aircraft and airports under the control of the Singapore Armed Forces.

Definitions

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

“act of unlawful interference” means an act or attempted act such as to jeopardise the safety of civil aviation and air transport, and includes any of the following acts:

- (a) unlawful seizure of an aircraft;
- (b) destruction of an aircraft in service;
- (c) hostage-taking on board an aircraft or at an airport;
- (d) forcible intrusion on board an aircraft, at an airport or on the premises of an aeronautical facility;
- (e) introduction on board an aircraft or at an airport of a weapon or hazardous device or material intended for criminal purposes;
- (f) use of an aircraft in service for the purpose of causing death, serious bodily injury or serious damage to property or the environment;
- (g) communication of false information so as to jeopardise the safety of an aircraft in flight or on the ground, or of passengers, crew, ground personnel or the general public, at an airport or on the premises of a civil aviation facility;

[S 481/2012 wef 26/09/2012]

“aerial work” means any operation in which an aircraft is used for agriculture, construction, photography, surveying,

observation, patrol, search and rescue, advertising or other specialised service;

[S 481/2012 wef 26/09/2012]

“aircraft operator” means the person who or which, at the relevant time, is engaged in or offering to engage in the operation of any one or more aircraft to which this Order applies;

[S 481/2012 wef 26/09/2012]

“airport” means an aerodrome;

“airport operator” means the operator of an airport to which this Order applies;

[S 481/2012 wef 26/09/2012]

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

“air traffic service” includes any flight information service, alerting service, air traffic advisory service, air traffic control service, area control service, approach control service and aerodrome control service;

[S 481/2012 wef 26/09/2012]

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

“commercial air transport operation” means an aircraft operation involving the transport of passengers, cargo or mail for remuneration or hire;

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

“corporate aviation” means general aviation involving the non-commercial operation or use of aircraft by a person for the carriage of passengers or goods as an aid to the conduct of company business flown by a professional employed to fly the aircraft;

[S 481/2012 wef 26/09/2012]

“enforcement notice” means a notice served under paragraph 11;

“general aviation operation” means the operation or use of aircraft other than commercial air transport operation or an aerial work operation;

[S 481/2012 wef 26/09/2012]

“National Civil Aviation Security Authority” means the National Civil Aviation Security Authority referred to in paragraph 4;

“NCASP” means the National Civil Aviation Security Programme referred to in paragraph 4;

“protected area” and “protected place” mean, respectively, any area or premises declared to be a protected area and any area or premises declared to be a protected place under the Infrastructure Protection Act 2017 (Act 41 of 2017);

[S 821/2018 wef 18/12/2018]

“screening” means the application of technical or other means which are intended to identify or detect any weapon, explosives or other dangerous device, or any article or substance which may be used to commit an act of unlawful interference;

[S 481/2012 wef 26/09/2012]

“security control” means any means by which the introduction of weapons, explosives or other dangerous devices, articles or substances which may be used to commit an act of unlawful interference can be prevented;

[S 481/2012 wef 26/09/2012]

“security directive” means a security directive issued under paragraph 7 or 8;

“security measures” means a combination of measures and procedures to secure the safety of aircraft and of persons and property carried therein against acts of unlawful interference;

“security restricted area” —

- (a) means an area of the airside which is identified as a priority risk area where, in addition to access control, other security controls are applied; and
- (b) includes any commercial aviation passenger departure area between the screening checkpoint and the aircraft, ramp, baggage sorting area, area where an aircraft is brought into service and screened baggage or cargo is present, cargo shed, mail centre and airside catering or aircraft cleaning premises;

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

PART II

NATIONAL CIVIL AVIATION SECURITY AUTHORITY AND COMMITTEE

National Civil Aviation Security Authority

4.—(1) The Commissioner shall be the National Civil Aviation Security Authority responsible for the development, implementation and maintenance of the National Civil Aviation Security Programme in Singapore to safeguard civil aviation operations against acts of unlawful interference.

(2) Without prejudice to the generality of sub-paragraph (1), the functions of the National Civil Aviation Security Authority shall be —

- (a) to establish and implement the NCASP in consultation with the Civil Aviation Authority of Singapore and the National Civil Aviation Security Committee established under paragraph 5;
- (b) to define and allocate tasks and co-ordinate activities between the departments, agencies and organisations of Singapore, providers of air traffic services, airport operators and aircraft operators, and other entities

concerned with or responsible for the implementation of various aspects of the NCASP;

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- (c) to make available to providers of air traffic services, airport operators and aircraft operators operating in Singapore and other entities concerned with or responsible for the implementation of the NCASP, the relevant portions of the NCASP;

[S 481/2012 wef 26/09/2012]

- (d) to review and maintain the effectiveness of the NCASP, including the re-evaluation of security measures following an act of unlawful interference and taking such action as may be necessary to remedy weaknesses so as to prevent recurrence;
- (e) to review and approve the airport security programmes and operator security programmes required under paragraph 6;
- (f) to ensure that the airport security services at airports are provided with the necessary facilities, including office space, telecommunications equipment, appropriate security equipment and training facilities;
- (g) to advise and make recommendations to the Minister on matters relating to civil aviation security, including the implementation of international conventions entered into by or on behalf of Singapore and any revision to written law arising therefrom;
- (h) to ensure that airport design requirements, including architectural and infrastructure-related requirements necessary for the implementation of the security measures in the NCASP, are integrated into the design and construction of new facilities and any alteration to existing facilities at an airport;

[S 481/2012 wef 26/09/2012]

- (i) to ensure the development and implementation of a programme known as the National Civil Aviation Security Training Programme for the training of

personnel of all entities involved with or responsible for the implementation of various aspects of the NCASP;

[S 481/2012 wef 26/09/2012]

- (j) to develop, implement and maintain a programme known as the National Civil Aviation Security Quality Control Programme to determine compliance with and validate the effectiveness of the NCASP;
- (k) to require the maintenance of records of any security incident or non-compliance with the requirements of the NCASP; and
- (l) to ensure a rapid response to meet any increased security threat to civil aviation.

National Civil Aviation Security Committee

5.—(1) There shall be a National Civil Aviation Security Committee (referred to in this paragraph as the Committee) comprising —

- (a) a chairman and a deputy chairman to be appointed by the Minister; and
- (b) such number of representatives from the departments, agencies and organisations of Singapore, providers of air traffic services, airport operators and aircraft operators, and other entities concerned with or responsible for the implementation of various aspects of the NCASP, as the chairman of the Committee may determine, such representatives to be nominated by their respective departments, agencies, organisations, operators and entities.

[S 481/2012 wef 26/09/2012]

(2) The Committee shall —

- (a) advise the National Civil Aviation Security Authority on civil aviation security policy, strategic matters and decisions, and the measures necessary to meet threats to civil aviation;

- (b) continually review such measures and make recommendations for changes in response to information on new threats, developments in aviation security technology and techniques and other relevant factors;
- (c) co-ordinate aviation security measures among departments, agencies and organisations of Singapore, providers of air traffic services, airport operators and aircraft operators, and other entities concerned with or responsible for the implementation of various aspects of the NCASP;

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- (d) promote security considerations in the design of new airports or alterations to existing facilities;
 - (e) recommend the promulgation of, and co-ordinate the implementation of changes in, national aviation security policies, in consultation with the National Civil Aviation Security Authority; and
 - (f) consider recommendations made by airport security committees and, where appropriate, recommend changes to the NCASP or airport security programmes and operator security programmes required under paragraph 6, to the National Civil Aviation Security Authority.
- (3) The Committee shall meet as often as the chairman appointed under sub-paragraph (1)(a) may determine to be necessary for the consideration of any matter referred to in sub-paragraph (2).
- (4) The Committee may regulate its own procedure.
- (5) The Committee may —
- (a) establish such sub-committees as the Committee sees fit to assist the Committee in the discharge of its functions;
 - (b) appoint such persons as the Committee sees fit as members of any such sub-committee; and
 - (c) consult with such other persons as the Committee sees fit.

PART III

AIRPORT SECURITY PROGRAMME AND OPERATOR
SECURITY PROGRAMME**Airport security programme and operator security
programme**

6.—(1) If directed in writing by the National Civil Aviation Security Authority, an operator of an airport to which this Order applies —

(a) shall establish, implement and maintain an airport security programme for the airport in accordance with the requirements of the NCASP; and

(b) shall submit that airport security programme to the National Civil Aviation Security Authority for approval,

and any airport security programme for an airport that on 26th September 2012 has the approval of the National Civil Aviation Security Authority shall be deemed to have been established and submitted pursuant to a direction in writing under this sub-paragraph.

[S 481/2012 wef 26/09/2012]

(2) An operator of any aircraft to which this Order applies shall establish, implement and maintain an operator security programme in accordance with the requirements of the NCASP, and shall submit the operator security programme to the National Civil Aviation Security Authority for approval.

[S 481/2012 wef 26/09/2012]

(3) *[Deleted by S 481/2012 wef 26/09/2012]*

(4) Any revision to an approved airport security programme by an airport operator or to an approved operator security programme by an aircraft operator shall be made in accordance with the requirements of the NCASP and only with the prior approval of the National Civil Aviation Security Authority.

(5) Any person who refuses or, without reasonable excuse, fails to comply with sub-paragraph (1), (2) or (4) shall be guilty of an offence

and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

PART IV

SECURITY DIRECTIVES AND ENFORCEMENT NOTICES

Power to issue security directive to aircraft operator or airport operator

7.—(1) The Commissioner may issue to any aircraft operator or airport operator a security directive requiring that person to take such security measures as may be specified in that security directive.

(2) The Commissioner shall inform the Civil Aviation Authority of Singapore of every security directive issued to an aircraft operator or airport operator and may consider any advice given by that Authority with respect to that security directive.

(3) The security measures that may be specified in a security directive under sub-paragraph (1) include, but are not limited to, measures for —

(a) preventing or deterring the introduction or unauthorised carriage on board any aircraft of any firearm, ammunition, weapon, incendiary device or explosive, or other substance or thing that, by reason of its nature or condition, may endanger the safety of the aircraft or the safety of persons or property on board the aircraft;

(b) controlling access to the airside and any security restricted area to prevent unauthorised entry;

[S 481/2012 wef 26/09/2012]

(c) preventing any person from having unauthorised access to any aircraft;

(d) identifying and screening persons and vehicles having access to security restricted areas;

(da) the application of security controls (including screening) to persons and vehicles having access to the airside;

[S 481/2012 wef 26/09/2012]

- (e) pre-boarding screening of originating and transfer passengers and their cabin baggage;
- (f) protecting passengers and their cabin baggage from unauthorised interference from the point of screening until the point of boarding the aircraft on which they are to be carried;
- (g) identification, accountability and authorisation of all hold baggage for carriage, screening of all hold baggage and protection from unauthorised interference from the point of screening or acceptance by the aircraft operator, whichever is the earlier, until the departure of the aircraft on which the hold baggage is carried;

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- (h) ensuring that all baggage, mail and other cargo to be taken on board any aircraft is accepted for that purpose only by an employee or other duly authorised agent or representative of the aircraft operator;
- (i) ensuring that all cargo, mail, catering, stores and supplies are subjected to appropriate security controls (including screening) prior to being loaded onto an aircraft and are thereafter protected from unauthorised interference until the departure of the aircraft;

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- (j) ensuring that disembarking passengers do not leave items on board an aircraft;
- (k) ensuring that unauthorised persons are prevented from entering the flight crew compartment of an aircraft during flight;
- (l) ensuring the protection of aircraft, and of persons and property on board the aircraft, against damage or injury where, because of a threat or warning having been received or otherwise, there is reason to believe that there exists a danger to the safety of the aircraft or to the safety of those persons or that property;

- (m) developing requirements for the carriage of special categories of passengers, including law enforcement officers and in-flight security officers and their carriage of weapons on board an aircraft; and
- (n) ensuring compliance with the NCASP, the airport security programme or operator security programme approved under paragraph 6, as the case may be, the National Aviation Security Training Programme and such other requirements as the Commissioner may deem necessary for the implementation of aviation security measures.

(4) An aircraft operator or airport operator to whom a security directive is issued under sub-paragraph (1) shall appoint a person to be responsible for planning, developing and implementing, and monitoring to confirm the effective implementation of, the security measures specified in the security directive, and shall inform the Commissioner of his particulars.

(5) A security directive under sub-paragraph (1) shall specify a date before which the operator is required to comply with the security directive.

(6) Any person who refuses or, without reasonable excuse, fails to comply with a security directive issued to him under this paragraph shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

(7) A security directive issued to a person under sub-paragraph (1) may at any time be varied or revoked by a further security directive issued to him by the Commissioner.

Power to issue security directive to other persons

8.—(1) The Commissioner may issue a security directive to any person —

- (a) who carries on any business or provides any goods, service or facility in relation to an airport or aircraft to which this

Order applies (whether or not those goods or that service or facility is located at the airport); or

[S 481/2012 wef 26/09/2012]

- (b) who has access to the airside, a protected area or protected place in such an airport for the purposes of the business carried on or service provided by him,

[S 481/2012 wef 26/09/2012]

requiring that person to take such security measures as may be specified in the security directive.

(2) The Commissioner shall inform the Civil Aviation Authority of Singapore of every security directive issued under sub-paragraph (1) and may take account of any advice given by that Authority with respect to that security directive.

(3) A security directive under sub-paragraph (1) shall specify a date before which the person is required to comply with the security directive.

(4) Any person who refuses or, without reasonable excuse, fails to comply with a security directive issued to him under this paragraph shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

(5) A security directive issued to a person under sub-paragraph (1) may at any time be varied or revoked by a further security directive issued to him by the Commissioner.

Provisions relating to security directives

9.—(1) A security directive issued to any person need not be addressed to that particular person, but may be framed in general terms applicable to all persons to whom such a security directive may be issued or to any class of such persons to which that particular person belongs.

(2) If it appears to the Commissioner that an exception from any security directive is required as a matter of urgency in any particular case, the Commissioner may, by a notification given in writing to the

person for the time being subject to the security directive, authorise that person to disregard the requirements of the security directive —

(a) in relation to such aircraft or class of aircraft, or in relation to such persons or property or such description of persons or property; and

(b) on such occasion or series of occasions, or for such period, as the Commissioner may specify; and the security directive shall have effect in that case subject to any exceptions so specified.

(3) Any notification given to any person under sub-paragraph (2) with respect to any security directive shall cease to have effect (if it has not already done so) if a security directive is subsequently issued by the Commissioner to that person varying or revoking the original security directive.

(4) Any notification given in writing under sub-paragraph (2) shall be regarded as given to the person to whom it is directed if it is given —

(a) to any person authorised by that person to receive any such security directive or notification;

(b) where that person is a body corporate, to the secretary or similar officer of the body corporate; and

(c) in any other case, to anyone holding a comparable office or position in that person's employment.

(5) A security directive shall be in writing, except that in cases of extreme urgency, in order to respond rapidly to meet any increased security threat or to take immediate action necessary to remedy weaknesses so as to prevent recurrence, the Commissioner may issue a verbal security directive to any person, which shall be confirmed in writing as soon as practicable thereafter.

Objection to security directive

10.—(1) This paragraph shall apply to any security directive which does not contain a statement that the security measures are urgently required and that accordingly the security directive is to take effect immediately.

(2) At any time before the end of the period of 2 weeks beginning with the date on which a security directive to which this paragraph applies is issued, the person to whom the security directive is issued may serve on the Commissioner a notice in writing objecting to the security directive, on the grounds that the security measures specified in the security directive are excessively onerous or inconvenient and should be modified in a manner specified in the notice.

(3) Where a person serves a notice in writing under sub-paragraph (2), the Commissioner shall consider the grounds of the objection and, if so required by the objector, shall afford to him an opportunity of appearing before, and being heard by, a person (not being a police officer) appointed by the Commissioner for the purpose.

(4) Where the objector appears before and is heard by a person appointed by the Commissioner under sub-paragraph (3), the person so appointed shall submit to the Commissioner his opinion in writing to enable the Commissioner to come to a decision on the objections.

(5) The Commissioner shall, after considering the grounds of objection and, if applicable, the written opinion of the person appointed to hear the objector under sub-paragraph (3), serve on the objector a notice in writing —

- (a) confirming the security directive as originally given;
- (b) confirming the security directive subject to one or more modifications specified in the notice under this sub-paragraph; or
- (c) withdrawing the security directive.

(6) Where a notice in writing has been served under sub-paragraph (2), the security directive shall not take effect until it has been confirmed (with or without modifications) by a notice served under sub-paragraph (5).

Enforcement notice

11.—(1) Where the Commissioner is of the opinion that any person has failed to comply with any general requirement of a security

directive issued to him, the Commissioner may serve on that person an enforcement notice in writing —

- (a) specifying the general requirement of the security directive with which he has, in the opinion of the Commissioner, failed to comply; and
- (b) specifying, subject to paragraph 12, the measures that ought to be taken in order to comply with that requirement.

(2) For the purposes of this paragraph, a requirement of a security directive is a general requirement if the provision imposing the requirement —

- (a) has been included in 2 or more security directives issued to different persons (whether or not at the same time); and
- (b) is framed in general terms applicable to all persons to whom those security directives are issued.

(3) Before serving any enforcement notice under sub-paragraph (1), the Commissioner shall inform the Civil Aviation Authority of Singapore of the security measures to be specified in the enforcement notice, and may take account of any advice given by that Authority with respect to those security measures.

Contents of enforcement notice

12.—(1) An enforcement notice may specify in greater detail the measures which are described in general terms in those provisions of the security directive which impose the general requirements, but may not impose any requirement which could not have been imposed by a security directive under the provision under which the security directive was issued.

(2) An enforcement notice may be framed so as to afford the person on whom it is served a choice between different ways of complying with the specified general requirements of the security directive.

(3) In serving an enforcement notice which relates to a security directive, the Commissioner shall specify in the enforcement notice such period as appears to be reasonably required for taking the measures specified in the enforcement notice; and the enforcement notice shall not take effect before the end of the period so specified.

(4) An enforcement notice requiring a 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 circumstance are practicable and necessary to prevent that thing from being done.

Offence relating to enforcement notice

13. Any person who, without reasonable excuse, fails to comply with an enforcement notice served on him shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

Objection to enforcement notice

14.—(1) The person on whom an enforcement notice is served may serve on the Commissioner a notice in writing of his objection to the enforcement notice, specifying any of the grounds of objection referred to in sub-paragraph (3).

(2) Any notice of objection under sub-paragraph (1) must be served before the end of the period so specified in the enforcement notice under paragraph 12(3).

(3) The grounds of objection to an enforcement notice are —

- (a) that the general requirements of the security directive which are specified in the enforcement notice for the purposes of paragraph 11(1) have been complied with;
- (b) that the enforcement notice purports to impose a requirement which is not imposed by the security directive to which the enforcement notice relates, or could not have been imposed by a security directive issued under the provision under which that security directive was issued; or
- (c) that any requirement of the enforcement notice —
 - (i) is unnecessary for complying with the general requirements referred to in sub-paragraph (a) and should be dispensed with; or

- (ii) having regard to the terms of those general requirements, is excessively onerous or inconvenient and should be modified in a manner specified in the notice of objection under sub-paragraph (1).

(4) Where a person serves a notice under sub-paragraph (1), the Commissioner shall consider the grounds of the objection and, if so required by the objector, shall afford to him an opportunity of appearing before, and being heard by, a person (not being a police officer) appointed by the Commissioner for the purpose.

(5) Where the objector appears before and is heard by a person appointed by the Commissioner under sub-paragraph (4), the person so appointed shall submit to the Commissioner his opinion in writing to enable the Commissioner to come to a decision on the objections.

(6) The Commissioner shall, after considering the grounds of objection and, if applicable, the written opinion of the person appointed to hear the objector under sub-paragraph (4), serve on the objector a notice in writing —

- (a) confirming the enforcement notice as originally given;
- (b) confirming the enforcement notice subject to one or more modifications specified in the notice under this sub-paragraph; or
- (c) withdrawing the enforcement notice.

(7) The enforcement notice shall not take effect until it has been confirmed (with or without modifications) by a notice served under sub-paragraph (6).

Supplementary provisions relating to enforcement notice

15.—(1) An enforcement notice served on any person —

- (a) may be revoked by a notice served on him by the Commissioner; and
- (b) may be varied by a further enforcement notice.

(2) Where the Commissioner has served an enforcement notice specifying the general requirements of a security directive with which

the person to whom it is issued has, in the opinion of the Commissioner, failed to comply, the person on whom the enforcement notice is served shall not be taken, for the purposes of paragraph 7(6) or 8(4), to have failed to comply with the security directive by reason of the matters specified in the enforcement notice.

(3) Sub-paragraph (2) shall not apply in relation to any proceedings commenced before the service of the enforcement notice.

(4) Where an enforcement notice has been served in relation to a security directive, the fact that the enforcement notice specifies certain general requirements of the security directive as those with which the person on whom the enforcement notice is served has, in the opinion of the Commissioner, failed to comply shall not in any proceedings be evidence that any other requirement of the security directive has been complied with.

Service of security directives, etc.

16. Any security directive, enforcement notice or other notice or document required or authorised by any provision of this Order to be issued to, served on or given to any person may be issued, served or given —

- (a) by delivering it to him;
- (b) by sending it by registered post addressed to the person at his usual or last known place of residence or place of business, whether in Singapore or elsewhere; or
- (c) in the case of a body corporate, by delivering it to the secretary or similar officer of the body corporate at its registered or principal office in Singapore (or, if it has no office in Singapore, at its principal office, wherever it may be) or sending it by registered post to the secretary or similar officer of the body corporate at that office.

PART V

INFORMATION AND INSPECTION

Power to require information

17.—(1) The Commissioner may, by notice in writing served on —

- (a) an airport operator;
- (b) an aircraft operator; or
- (c) any person who carries on any business at an airport, or who provides any goods, service or facility to an airport operator or aircraft operator,

[S 481/2012 wef 26/09/2012]

require that person to inform the Commissioner of the security measures, of a description specified in the notice, which are being taken in respect of an airport or aircraft to which this Order applies, or in respect of the business carried on or service provided at the airport, as the case may be.

(2) A notice under sub-paragraph (1) shall specify a date before which the information required by the notice is to be furnished to the Commissioner.

(3) A notice under sub-paragraph (1) shall also require the person on whom it is served, after he has furnished to the Commissioner the information required by that notice, to inform the Commissioner if, at any time —

- (a) any further measures are taken, in respect of that airport, aircraft or business carried on or service provided at the airport to which the information so furnished relates, as the case may be, either —
 - (i) by way of alteration of, or addition to, the security measures specified in any information previously furnished by him under this paragraph; or
 - (ii) by way of applying any security measures so specified to the airport, aircraft, or business carried on or service provided at the airport, not comprised in the previous information; or

(b) any measures taken as mentioned in sub-paragraph (1) or in sub-paragraph (a) are discontinued.

(4) In so far as the notice requires further information to be furnished to the Commissioner in accordance with sub-paragraph (3), it shall require that information to be furnished to the Commissioner before the end of such period (not being less than 7 days from the date on which the further measures in question are taken or are discontinued) as is specified in the notice.

(5) Any person who —

(a) refuses or, without reasonable excuse, fails to comply with a requirement imposed on him by a notice under this paragraph; or

(b) in furnishing any information so required, makes a statement which he knows to be false in a material particular, or recklessly makes a statement which is false in a material particular,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

(6) A notice served on a person under sub-paragraph (1) may at any time be varied or revoked by a further notice served on him by the Commissioner.

Power to inspect aircraft and airport

18.—(1) For the purposes specified in sub-paragraph (1A), an authorised person shall have the right of access, on production (if required) of his credentials —

(a) to any place in Singapore; or

(b) to any aircraft to which this Order applies at a time when it is in Singapore.

[S 481/2012 wef 26/09/2012]

(1A) An authorised person shall have the right of access under sub-paragraph (1) solely for the purpose of carrying out any survey, test, inspection or audit to enable the Commissioner to determine —

- (a) whether to issue a security directive to any aircraft operator or airport operator under paragraph 7(1) or any person under paragraph 8(1);
- (b) whether the requirements of the NCASP are being or have been complied with; or
- (c) whether a security directive issued under paragraph 7(1) or 8(1) is being or has been complied with.

[S 481/2012 wef 26/09/2012]

(2) An authorised person conducting a survey or test, or an inspection or audit, of any place or aircraft under sub-paragraph (1) shall have power —

- (a) to subject any part of an airport, any property found by him in an aircraft (but not the aircraft itself or any apparatus or equipment installed therein), any property found by him in an airport, or any property found by him in any other place at which the survey, test, inspection or audit, as the case may be, is conducted, to such tests; or
- (b) to require the aircraft operator, airport operator or any person carrying on any business or providing any service at the airport or other place, to furnish to him such information,

as the authorised person may consider necessary for the purposes for which the survey, test, inspection or audit is carried out.

[S 481/2012 wef 26/09/2012]

(3) Subject to sub-paragraph (4), an authorised person, for the purpose of exercising any power conferred on him by sub-paragraphs (1) and (2) in relation to an aircraft or an airport, shall have power —

- (a) for the purpose of inspecting an aircraft, to enter it and to take all such steps as are necessary to detain it; or
- (b) for the purpose of inspecting any part of an airport, to enter any building or works in the airport or enter upon any land in the airport.

(4) The powers conferred by sub-paragraph (3) shall not include power for an authorised person to use force for the purpose of entering any aircraft, building or works or entering upon any land.

(5) Any person who —

- (a) wilfully obstructs or impedes any authorised person acting in the exercise of a power conferred on him by or under this paragraph;
- (b) refuses or, without reasonable excuse, fails to comply with a requirement imposed on him under sub-paragraph (2)(b);
- (c) in furnishing any information so required under sub-paragraph (2)(b) makes a statement which he knows to be false in a material particular, or recklessly makes a statement which is false in a material particular; or
- (d) falsely pretends to be an authorised person,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

(6) In this paragraph, an “authorised person” means —

- (a) a police officer of or above the rank of staff sergeant who is deployed in the Airport Police Division of the Singapore Police Force; or
- (b) any person authorised in writing by the Commissioner.

PART VI OFFENCES

False statements relating to baggage, cargo, etc.

19.—(1) Subject to sub-paragraph (3), a person shall be guilty of an offence if, in answer to a question which —

- (a) relates to any baggage, cargo, mail or stores (whether belonging to him or to another) that is or are intended for carriage by an aircraft registered or operating in Singapore; and

(b) is put to him by any of the persons mentioned in sub-paragraph (2),

he makes a statement which he knows to be false in a material particular, or recklessly makes a statement which is false in a material particular.

(2) The persons referred to in sub-paragraph (1)(b) are —

- (a) any police officer;
- (b) any officer of customs appointed under the Customs Act (Cap. 70);
- (c) any immigration officer appointed under the Immigration Act (Cap. 133);
- (d) any officer, employee or agent of the Civil Aviation Authority of Singapore;
- (e) the aircraft operator or any employee or agent of such a person in his capacity as employee or agent; and
- (f) any person who —
 - (i) is permitted to have access to the airside, protected area or protected place in an airport for the purposes of any business carried on or service provided by him; and

[S 481/2012 wef 26/09/2012]

- (ii) has control in that airside, protected area or protected place over the baggage, cargo, mail or stores to which the question relates,

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or any employee or agent of such a person in his capacity as employee or agent.

(3) Any person guilty of an offence under sub-paragraph (1) shall be liable on conviction to a fine not exceeding \$10,000.

Unauthorised presence on board aircraft

20.—(1) No person shall —

- (a) get into or onto an aircraft which is at an airport to which this Order applies except with the permission of the aircraft operator or a person acting on his behalf; or
- (b) remain on such an aircraft after being requested to leave by the aircraft operator or a person acting on his behalf.

(2) Any person who, without lawful authority or reasonable excuse, contravenes sub-paragraph (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

PART VII**MISCELLANEOUS****Savings**

21.—(1) Any direction, enforcement notice or other notice given or served by the Commissioner under the revoked Air Navigation (Aviation Security) Order (O 5, 2000 Ed.) that is in force immediately before 18th October 2006 shall continue and be deemed to have been given or served under the corresponding provision of this Order.

(2) Every person who immediately before 18th October 2006 was an authorised person under paragraph 14 of the revoked Air Navigation (Aviation Security) Order shall be deemed to be an authorised person under paragraph 18 of this Order.

[G.N. Nos. S 590/2006; S 173/2007]

LEGISLATIVE HISTORY
AIR NAVIGATION (AVIATION SECURITY) ORDER
(CHAPTER 6, O 5)

This Legislative History is provided for the convenience of users of the Air Navigation (Aviation Security) Order. It is not part of this Order.

1. G. N. No. S 401/1999 — Air Navigation (Aviation Security) Order 1999

Date of commencement : 1 October 1999

2. 2000 Revised Edition — Air Navigation (Aviation Security) Order

Date of operation : 31 August 2000

3. G. N. No. S 590/2006 — Air Navigation (Aviation Security) Order 2006

Date of commencement : 18 October 2006

4. G. N. No. S 173/2007 — Air Navigation (Aviation Security) (Amendment) Order 2007

Date of commencement : 1 May 2007

5. 2007 Revised Edition — Air Navigation (Aviation Security) Order

Date of operation : 2 July 2007

6. G. N. No. S 481/2012 — Air Navigation (Aviation Security) (Amendment) Order 2012

Date of commencement : 26 September 2012

7. G.N. No. S 821/2018 — Air Navigation (Aviation Security) (Amendment) Order 2018

Date of commencement : 18 December 2018