HANDLING PROCEDURES FOR REGULATED AGENT REGIME (RAR)

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Revision 1	February 2021
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Notes:

The Handling Procedures for Regulated Agent Regime is a living document and may be revised and updated from time to time.

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PART A

1. ALLOCATION OF REGULATED AGENT CODES AND SECURITY STATUS

1.1 Allocation of Regulated Agent Codes (RA Code)

1.1.1 Civil Aviation Department (CAD) allocates a regulated agent (RA) code to every RA in CAD's register in accordance with the format below.

"RA" + Unique registration number (4 digits) + 1 Check digit example: "RA34567"

1.1.2 An RA shall annotate its RA code in the "Signature of Issuing Carrier or its Agent" box at the bottom right corner of a Master Air Waybill (see <u>Annex 1a</u>).

Note: Airlines require that:

- i) an RA must type its <u>FULL</u> company name in the "Issuing Carrier's Agent Name and City" box at the top of a Master Air Waybill; and
- ii) the RA code must match with the company's name mentioned in i) (see <u>Annex 1a</u>).
- 1.1.3 CAD maintains a register of valid RAs. The register is available at the website:https://www.cad.gov.hk/english/newrar_rareg.html

1.2 Allocation of Security Status

- 1.2.1 An RA annotates "SPX" on "Signature of Issuing Carrier or its Agent" box at the bottom right corner of a Master Air Waybill immediately above its RA code (see <u>Annex 1a</u>) if the cargo is received from a known consignor (KC) validated by CAD / the cargo has been cleared by appropriate security screening acceptable to CAD and is tendered as known cargo.
- 1.2.2 An RA shall annotate its RA code but <u>not</u> annotate any security status on a Master Air Waybill (see <u>Annex 1b</u>) if the cargo is tendered as unknown cargo.

Note:

If the master air waybill of a consignment does not bear any security status, the consignment shall be treated as unknown cargo.

2. PROCESSES OF CARGO FROM KNOWN CONSIGNORS AND UNKNOWN CONSIGNORS

- 2.1 Under the regime a consignor is the entity who offers a cargo consignment to a cargo agent or an airline for carriage by a flight departing Hong Kong. Below are the *2 typical channels through which a consignment can be offered to an airline under the regime.
 - Note: "RA" = Regulated Agent
 - "CTO" = Cargo Terminal Operator "RACSF" = Regulated Air Cargo Screening Facility "KC" = Known Consignor
 - 2.1.1 KC validated by CAD → RA → Airline
 2.1.2 Unknown Consignor → RA → Airline [request CTO / RACSF to apply security]
 - * KC validated by CAD and Unknown Consignors can also tender the cargo to CTO/Airline direct, without routing through RA.

screening]

- 2.2 Cargo Acceptance Procedures include:-
 - (a) Documentation Check
 - (i) Consignment of cargo shall be accompanied by shipping documents, including Master Air Waybill (where applicable) and House Air Waybill / Shipper's Letter of Instruction.
 - (ii) The shipping documents shall contain at least the following information.
 - nature / content of the consignment,
 - quantity of the consignment (including weight, number of packages, dimension / volume),
 - KC code of the tendering KC validated by CAD, if the consignment is directly received from a KC without routing through an RA,
 - RA code of the tendering RA, if the consignment is received routing through another RA, and
 - security status of the cargo consignment (if any) if the consignment is received from a KC or RA.
 - (iii) The status of the KC or the tendering RA shall be checked against CAD's register.
 - (iv) If in doubt, the identity of the person delivering the cargo consignment shall be verified (e.g. check of company identification document) to ascertain that the person is the authorized representative of the KC, the tendering RA, RACSF, the warehouse contractor or the transportation contractor.
 - (b) Appearance Check
 - (i) The quantity (e.g. number of cartons), weight, dimension and the outer physical appearance of the cargo consignment shall be reasonably checked against the information contained in the shipping documents mentioned in <u>2.2(a)</u> above and in the pre-declaration, where applicable.
 - (ii) The packaging of the consignment shall be examined for any signs of tampering and suspicion, such as:-
 - signs of reseal or forcible opening, or
 - unreasonable packaging, or
 - wires, oil stains or other indications that the consignment may contain explosives or incendiary devices.

- (iii) When secure transportation (ST) means accepted by CAD are used to deliver and safeguard the known cargo (including screened cargo) consignment from unlawful interference, the information including seal serial numbers against the pre-declaration shall be verified before acceptance. The ST means shall be examined for any signs of tampering and suspicion.
- (c) If an RA receives consignment with unknown status from the tendering RA / KC (i.e. no annotation of security status on shipping documents), the RA shall deliver the consignment to either RACSF or CTO for security screening.
- 2.3 The following documents shall be maintained, where applicable, for every consignment of air cargo for a period of at least **31 days** after the consignment is flown.
 - Master Air Waybill (MAWB) / House Air Waybill (HAWB)
 - Shipper's Letter of Instructions (SLI)
 - Cargo Manifest / House Cargo Manifest
 - Reception Check List (RCL)
 - Form of Undertaking for Inter-RA AWB Handling (A sample is attached at <u>Annex 4c</u> for reference)
 - Record of security screening applied on unknown cargo (e.g. security screening receipt issued by RACSFs or RCL issued by CTOs)
 - Register of security seals for tendering known cargo (if applicable) (A sample is attached at <u>Annex 2</u> for reference)
 - Pre-declaration for tendering known cargo to other RA/RACSF (A sample is attached at <u>Annex</u> <u>4b</u> for reference)

The following documents shall be maintained **as long as an RA continues to hold a status of RA**.

- Regulated Agent Security Programme including Warehouse Contractor Declaration and Transportation Contractor Declaration, if any (for RA)
- Certificates of RAR training organised by training institutes and/or RAR Revalidation Test result (if any)
- Regulated Agent Aviation Security Declaration, if any (for inter-RA handling)

2.1.1 KC VALIDATED BY CAD \rightarrow RA \rightarrow AIRLINE

2.1.1.1 KC

- 2.1.1.1.1 To facilitate the RA in accepting the consignment, the KC shall annotate its KC code, which is site-specific, and the security status "SPX" at the right bottom corner of its Shipper's Letter of Instructions (SLI) (or other shipping documents such as House Air Waybill (HAWB), where applicable).
- 2.1.1.1.2 Tender the Known Cargo consignment to the RA for acceptance.
- 2.1.1.1.3 [Where applicable, depending on the arrangement between the KC and the RA] The Known Cargo consignment above shall be delivered and safeguarded from unlawful interference using secure transportation (ST) means accepted by CAD, until acceptance by the RA. If the ST means is applied by the KC, a pre-declaration shall be submitted by the KC before tendering the cargo to the RA which shall include, at a minimum, the company names and KC / RA codes of the KC / RA, date and time of dispatch, the seal serial number(s), MAWB / HAWB / ULD no. and vehicle licence plate no. for the RA to perform acceptance check as per <u>2.1.1.2.1</u>. A sample of such pre-declaration is attached at <u>Annex 4b</u>.

2.1.1.2 RA

- 2.1.1.2.1 Perform the acceptance check as per <u>2.2</u>, which includes the checking of KC code against CAD's KC register, the security status of Known Cargo (i.e. "SPX") and the integrity of the ST means including seal serial number(s).
- 2.1.1.2.2 Accept the consignment from the KC if the above acceptance check is satisfactory.
- 2.1.1.2.3 Annotate its **RA code** as per <u>1.1.2</u> and the security status "SPX" of the consignment on the Master Air Waybill (MAWB) as per <u>1.2</u>.
- 2.1.1.2.4 Deliver and safeguard the consignment from unlawful interference until acceptance by a Cargo Terminal Operator (CTO) using ST means accepted by CAD. Before tendering the cargo to CTO, a pre-declaration shall be submitted by the RA to CTO through respective CTO's pre-declaration platform to include, at a minimum, the KC code, information of the ST means, seal serial number(s) and vehicle licence plate no. together with other information of the consignment (e.g. AWB / ULD no.) for the CTO to perform acceptance check as per 2.1.1.3.2. Obtain RCL from CTO.
- 2.1.1.2.5 Deliver the MAWB and RCL to the airline.
- 2.1.1.2.6 Maintain the documents as per <u>2.3</u>. Documentation and recording by electronic means are acceptable provided that hard copies can be made available upon inspection by CAD.

Note:

Airlines require that an RA types its full name in the "Issuing Carrier's Agent Name and City" box at the top of MAWB.

2.1.1.3 CTO

- 2.1.1.3.1 Receive the physical consignment from RA.
- 2.1.1.3.2 Perform the acceptance check as per 2.2(a)(iv) and 2.2(b) where applicable. Issue RCL.
- 2.1.1.3.3 Safeguard the consignment from unlawful interference after its reception.
- 2.1.1.3.4 Apply security screening if required by the airline.
- 2.1.1.3.5 Record the applied security screening and maintain the record of security screening for a period of at least **3 months** after the consignment is flown. Documentation and recording by electronic means are acceptable provided that hard copies can be made available upon inspection by CAD.

2.1.1.4 Airline

- 2.1.1.4.1 Perform the acceptance check as per <u>2.2(a)(i)(ii)(iii)</u> and <u>2.2(b)(i)</u>, which includes the checking of RA code against CAD's RA register and the status of Known Cargo (i.e. "SPX"), and receive the RCL.
- 2.1.1.4.2 Instruct the CTO to apply further security screening if the above acceptance check is unsatisfactory or when the airline deems it necessary.
- 2.1.1.4.3 Keep the shipping documents and RCL for at least **31 days** after the consignment is flown, for inspection by CAD. Documentation and recording by electronic means are acceptable provided that hard copies can be made available upon inspection by CAD.

 \rightarrow

[request RACSF / CTO to apply security screening]

2.1.2.1 RA

[request RACSF / CTO to apply security screening]

- 2.1.2.1.1 Receive the consignment from the unknown consignor.
- 2.1.2.1.2 Deliver the consignment to an RACSF / a CTO for security screening.
- 2.1.2.1.3 When the RA requests the RACSF to apply security screening:
 - 2.1.2.1.3.1 If the consignment has been cleared by security screening by RACSF, obtain a security screening receipt from the RACSF. Annotate its **RA code** as per <u>1.1.2</u> and the security status "SPX" of the consignment on the MAWB as per <u>1.2</u>.
 - 2.1.2.1.3.2 [Where applicable, depending on the arrangement between the RA and RACSF]
 - (i) If the RA is responsible for sending the screened cargo to CTO direct, a) it shall be delivered and safeguarded from unlawful interference using secure transportation (ST) means accepted by CAD, until acceptance by the CTO. Before tendering the cargo to CTO, a pre-declaration shall be submitted by the RA to CTO through respective CTO's pre-declaration platform to include, at a minimum, the RACSF code, information of the ST means, seal serial number(s) and vehicle licence plate no. together with other information of the consignment (e.g. AWB / ULD no.) for the CTO to perform acceptance check as per 2.1.2.3.2. Obtain RCL from CTO.
 - (ii) If the screened cargo is to be sent back to the RA's warehouse, say for palletisation, before the cargo is tendered to a CTO,
 - a) ST means accepted by CAD shall be applied by RA or RACSF to protect the screened cargo from unlawful interference during transportation to the RA's warehouse.
 - b) At the RA's warehouse, the RA shall perform the appearance check as per <u>2.2</u>, which includes a checking on the integrity of the ST means including seal serial number(s) from the pre-declaration from the RACSF if the ST means is applied by the RACSF.
 - c) ST means shall be applied by RA to protect the screened cargo from unlawful interference during transportation to the CTO. Before tendering the cargo to CTO, a pre-declaration shall be submitted by the RA to CTO through respective CTO's pre-declaration platform to include at a minimum, the RACSF code, information of the ST means, seal serial number(s) and vehicle licence plate no. together with other information of the consignment (e.g. AWB / ULD no.) for the CTO to perform acceptance check as per 2.1.2.3.2. Obtain RCL from CTO.
 - (iii) If the RA tenders the screened cargo to another RA / RACSF, say for palletisation, before the cargo is tendered to a CTO,
 - a) ST means accepted by CAD shall be applied by the RA / RACSF to protect the screened cargo from unlawful interference during transportation to the receiving RA / RACSF. Before tendering the cargo to RA / RACSF, a predeclaration shall be submitted by the RA / RACSF to the receiving RA / RACSF which shall include, at a minimum, the company names and RACSF / RA codes of the RACSF / RA, date and time of dispatch, the seal serial number(s), MAWB / HAWB / ULD no. and vehicle licence plate no. for the receiving RA/RACSF to perform acceptance check as per <u>2.2</u>. A sample of such pre-declaration is attached at Annex 4b.

2.1.2.1.4 When the RA requests the CTO to apply security screening:

- 2.1.2.1.4.1 Notify the CTO through the respective pre-declaration platform, and if also required by the CTO, submit the completed form, "Declaration of Export Consignment Bulk"# or "Declaration of Export Consignment Prepacked Unit"# (see <u>Annex 3a</u> and <u>Annex 3b</u>) or in other format(s) as required by the CTO.
- 2.1.2.1.4.2 If the consignment has been cleared by the security screening, annotate its RA code as per 1.1.2 and the security status "SPX" on the MAWB as per 1.2.
- 2.1.2.1.5 Deliver the MAWB and RCL to the airline.
- 2.1.2.2 **RACSF** [When the RA requests the RACSF to apply security screening]
- 2.1.2.2.1 Perform the acceptance check as per <u>2.2</u>.
- 2.1.2.2.2 Apply security screening as requested by the RA, then record details of the consignment screened and the result of security screening on a security screening log.
- 2.1.2.2.3 Issue a security screening receipt to the RA, which serves as a document proof that the cargo has been screened at the RACSF. The security screening receipt shall include, at a minimum, the company name of the client RA, MAWB / HAWB no., gross weight, no. of pieces, date and time of screening. The RACSF shall also indicate on the receipt:
 - (i) that the cargo have been "SECURITY CHECKED";
 - (ii) the screening method(s) adopted (e.g. "x-ray", "hand search", "ETD") [Note: the latter two are alternative screening methods which can only be used for screening of air cargo which are difficult or cannot be screened by x-ray equipment. Please refer to Notice to RAs 3/2020]
 - (iii) the company name of the RACSF (e.g. in company chop); and
 - (iv) the RACSF code assigned by CAD.
- 2.1.2.2.4 Safeguard the consignment from unlawful interference after its reception.
- 2.1.2.2.5 [Where applicable, depending on the arrangement between the RA and RACSF]

2.1.2.2.5.1 If the RACSF is responsible to send the screened cargo to CTO direct,

- (i) it shall be delivered and safeguarded from unlawful interference using ST means accepted by CAD, until acceptance by the CTO. Before tendering the cargo to CTO, a pre-declaration shall be submitted by the RA / RACSF to CTO through respective CTO's pre-declaration platform to include, at a minimum, the RACSF code, information of the ST means, seal serial number(s) and vehicle licence plate no. together with other information of the consignment (e.g. AWB / ULD no.) for the CTO to perform acceptance check as per 2.1.2.3.2. Obtain RCL for the RA.
- 2.1.2.2.5.2 If the RACSF sends back the screened cargo to the RA or further tenders it to another RA/RACSF, say for palletisation, before the cargo is tendered to a CTO,
 - (i) ST means accepted by CAD shall be applied by the RACSF to protect the screened cargo from unlawful interference during transportation to the receiving RA / RACSF. Before tendering the cargo to the RA / RACSF, a predeclaration shall be submitted by the RACSF to the receiving RA / RACSF which shall include, at a minimum, the company names and RACSF / RA codes of the RACSF / RA, date and time of dispatch, the seal serial number(s), MAWB / HAWB / ULD no. and vehicle licence plate no. for the receiving RA / RACSF to perform acceptance check as per <u>2.2</u>. A sample of such predeclaration is attached at <u>Annex 4b</u>.

2.1.2.2.6 The security screening log and copies of security screening receipt shall be kept for a period of at least **3 months** after screening is conducted. Documentation and recording by electronic means are acceptable provided that hardcopies can be made available upon inspection by CAD. The RACSF shall also maintain the x-ray images / recordings of screened cargo / photo records of hand search or physical check at piece level / analysis results of ETD for at least **31 days**.

Note:

If the RACSF belongs to (i.e. is a self-provided warehouse of) an RA, it shall perform both the role of an RA and an RACSF in 2.1.2.1 and 2.1.2.2 above. If the RA in question performs self-screening of air cargo using its RACSF status, it may not necessarily issue security screening receipts to itself as required by 2.1.2.2.3 above, provided that the RA has already maintained the security screening log as required in 2.1.2.2.2 above.

2.1.2.3 CTO

2.1.2.3.1 [When the RA requests the CTO to apply security screening]

Perform the acceptance check as per 2.2(a)(iv) and 2.2(b)(i) and (ii) where applicable. Apply security screening requested by the RA, then accept the consignment, issue and annotate the following on the RCL accordingly.

"SECURITY CHECKED"

The screening method(s) adopted (e.g. "x-ray", "hand search", "ETD") shall also be indicated on the RCL. [*Note: the latter two are alternative screening methods which can only be used for screening of air cargo which are difficult or cannot be screened by x-ray equipment.* Please refer to <u>Notice to RAs 3/2020</u>]

- 2.1.2.3.2 [When the RA requests the RACSF to apply security screening] Receive the physical consignment from the RA or RACSF. Perform the acceptance check as per <u>2.2(a)(iv)</u> and <u>2.2(b)</u> where applicable. Issue RCL.
- 2.1.2.3.3 Safeguard the consignment from unlawful interference after its reception.
- 2.1.2.3.4 Apply further security screening if required by the airline.
- 2.1.2.3.5 Record the applied security screening and maintain the record of security screening for a period of at least **3 months** after the consignment is flown. Documentation and recording by electronic means are acceptable provided that hard copies can be made available upon inspection by CAD. The CTO shall also maintain the x-ray images / recordings of screened cargo / photo records of hand search or physical check at piece level / analysis results of ETD for at least **31 days**.

2.1.2.4 Airline

- 2.1.2.4.1 Confirm the status of known cargo (i.e. SPX) by checking the MAWB, and receive the RCL.
- 2.1.2.4.2 Perform the acceptance check as per 2.2(a)(i)(ii)(iii) and 2.2(b)(i),
- 2.1.2.4.3 Instruct the CTO to apply further security screening if the above acceptance check is unsatisfactory or when the airline deems it necessary.
- 2.1.2.4.4 Keep the shipping documents and RCL for at least **31 days** after the consignment is flown, for inspection by CAD. Documentation and recording by electronic means are acceptable provided that hard copies can be made available upon inspection by CAD.

Individual cargo terminal operator may produce its own form to receive the request for security screening.

3. INTER-REGULATED AGENT HANDLING :

3.1 Co-loading: Regulated Agent (Tendering) → Regulated Agent (Receiving)

RA(T): Regulated Agent (Tendering)

RA(R): Regulated Agent (Receiving)

- 3.1.1 RA(T) lodges a one-off "Regulated Agent Aviation Security Declaration" (see <u>Annex 4a</u>) with RA(R).
- 3.1.2 RA(R) shall check the RA status of RA(T) against the register of RA at CAD's website.
- 3.1.3 RA(T) receives consignment from its consignor or upstream RA.
- 3.1.4 RA(T) checks the security status of cargo consignment and, if required, requests an RACSF to apply security screening to turn the security status of the cargo consignment into "SPX".
- 3.1.5 RA(T) prepares applicable shipping documents.
 - 3.1.5.1 If the cargo is known cargo (i.e. tendered by KCs validated by CAD or already applied security screening by RACSF), RA(T) shall annotate its RA code and the security status (i.e. SPX") of the cargo consignment at the right bottom corner of the shipping documents (e.g. Shipper's Letter of Instruction (SLI), House Air Waybill (HAWB), co-loading document).
 - 3.1.5.2 If the cargo is unknown cargo (i.e. tendered by unknown consignors and not yet applied any security screening), RA(T) shall annotate its RA code but <u>not</u> annotate any security status in the shipping documents (e.g. SLI, HAWB, co-loading document).
- 3.1.6 RA(T) tenders consignment to RA(R). If the cargo is known cargo (i.e. tendered by KCs validated by CAD or applied security screening by RACSF), RA(T) shall apply ST means accepted by CAD and, before tendering the cargo to RA(R), provide a pre-declaration regarding the known cargo for RA(R) to perform the acceptance check as per <u>2.2</u>. Such pre-declaration shall include, at a minimum, the company names and RA codes of RA(T) and RA(R), date and time of dispatch, the seal serial number(s), MAWB / HAWB / ULD no. and vehicle licence plate no.. A sample of such pre-declaration for tendering known cargo to other RA is attached at <u>Annex 4b</u>.
- 3.1.7 RA(R) verifies the annotation and requests RACSF / CTO to apply security screening to turn the security status of the cargo consignment into "SPX" if required.
- 3.1.8 RA(R) tenders consignment to a CTO and delivers the Master Air Waybill (MAWB) and Reception Check List (RCL) to Airline.
- 3.1.9 RA(T) and RA(R) keep the documents as per <u>2.3</u>. Documentation and recording by electronic means are acceptable provided that hard copies can be made available upon inspection by CAD.

Note:

1. RA(T) should not mark its RA code on the MAWB. Airlines require that, except the RA code which matches the company's name that appears in the "Issuing Carrier's Agent Name and City" box at the top of the MAWB, no other RA code should be marked in the MAWB (see <u>Annex 1a</u>).

2. Any cargo consignment co-loaded between RA and non-RA, or between non-RA and non-RA shall be treated as unknown cargo (even if it is originated from KCs validated by CAD or already applied security screening by RACSF).

3.2 Master Air Waybill (MAWB) assignment between Regulated Agents



Regulated Agent (MAWB assignor)

Consignor $\rightarrow \dots \rightarrow \rightarrow$ Regulated Agent (MAWB assignee) \rightarrow Airline

RA(L): Regulated Agent (MAWB assignor) lends MAWB to RA(B) RA(B): Regulated Agent (MAWB assignee) borrows MAWB from RA(L)

- 3.2.1 RA(B) lodges a one-off "Regulated Agent Aviation Security Declaration" (see <u>Annex 4a</u>) with RA(L).
- 3.2.2 RA(L) shall check the RA status of RA(B) against the register of RA at CAD's website.
- 3.2.3 RA(B) lodges a "Form of Undertaking for Inter-RA AWB Handling" (the Form) with RA(L) EACH TIME when RA(B) borrows MAWB from RA(L) (see <u>Annex 4c</u>). RA(B) shall duly complete the Form according to the security status of the cargo and follow the procedures set out in the Form. The original of the Form shall be retained by RA(L) with a copy provided to RA(B) for record purpose.

3.2.4 When RA(B) tenders known cargo (i.e. consignment tendered by KCs validated by CAD or applied security screening by RACSF with security status "SPX") (see <u>Annex 4d</u>):

When RA(L) first lends the MAWB to RA(B), RA(B) should not annotate any RA code or security status on the MAWB. After RA(B) has tendered the consignment as known cargo to the CTO, RA(B) should follow the procedures below.

- 3.2.4.1 Annotate the RA code of RA(L) as per <u>1.1.2</u>.
- 3.2.4.2 Annotate the full company name of the RA(B) in the "Signature of Shipper or his Agent" box and the security status of the consignment (i.e. "SPX") immediately above the company name on the MAWB.
- 3.2.4.3 Deliver the MAWB and RCL to an airline for carriage on aircraft.

3.2.5 When RA(B) tenders unknown cargo (i.e. consignment tendered by unknown consignors and without any security status) for carriage onboard aircraft: (See <u>Annex 4e</u>)

When RA(L) first lends the MAWB to RA(B), RA(B) should not annotate any RA code or security status on the MAWB. After RA(B) has tendered the consignment as unknown cargo to a CTO, RA(B) should follow the procedures below.

- 3.2.5.1 Notify the CTO through the respective pre-declaration system, and if required by the CTO, submit the completed form, "Declaration of Export Consignment Bulk"# or "Declaration of Export Consignment Prepacked Unit"# (see <u>Annex 3a</u> and <u>Annex 3b</u>) or in other format(s) required by the CTO, when the RA(B) requests the CTO to apply security screening.
- 3.2.5.2 If the consignment has been cleared by the security screening, annotate the full company name of RA(B) and the security status "SPX" immediately above the company name in the "Signature of Shipper or his Agent" box on the MAWB. RA(B) should also annotate the RA code of RA(L) as per <u>1.1.2</u>.
- 3.2.5.3 Deliver the MAWB and RCL (with "SECURITY CHECKED" annotated) to the airline.

Individual cargo terminal operator may produce its own form to receive the request for security screening

Note:

1. RA(B) should not mark its RA code on the MAWB. Airlines require that, except the RA code which matches the company's name that appears in the "Issuing Carrier's Agent Name and City" box at the top of the MAWB, no other RA code should be marked in the MAWB (see <u>Annex 1a</u>).

2. If MAWB assignment is between RA and non-RA, or between non-RA and non-RA, the consignment under the MAWB shall be treated as unknown cargo.

For Inspection Purpose

- 3.2.6 RA(L) & RA(B) keep the documents as per <u>2.3</u>. Documentation and recording by electronic means are acceptable provided that hard copies can be made available upon inspection by CAD.
- 3.2.7 The RAs involved in inter-RA handling shall form an audit trail of the security status of each consignment and produce it to the next downstream entity along a secure supply chain. Therefore, the inter-RA handling procedures should apply to all the RAs involved.

(i.e. In the RA(1) \rightarrow RA(2) \rightarrow RA(3), the inter-RA handling procedures should be applied between RA(1) and RA(2), between RA(2) and RA(3); NOT directly between RA(1) and RA(3))

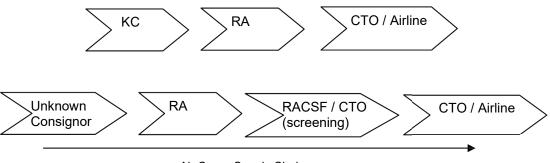
PART B

1. ABOUT REGULATED AGENT REGIME

- **1.1** To comply with the international standards of Annex 17 to the Convention on International Civil Aviation (Aviation Security Safeguarding International Civil Aviation Against Acts of Unlawful Interference), Hong Kong has incorporated the Regulated Agent Regime (RAR) in the Hong Kong Aviation Security Programme which is enforceable under the Aviation Security Ordinance since March 2000. The regime was formulated after consultation with the air cargo industry representative bodies like the Hong Kong Shippers' Council, Hong Kong Association of Freight Forwarding and Logistics Limited (HAFFA) and aircraft operators (airlines).
- **1.2** In September 2016, the International Civil Aviation Organisation (ICAO) announced a policy direction to further enhance international standards on air cargo security. The policy direction requires that consignors not subject to approval by the Aviation Security Authority should be phased out by 30 June 2021. Under this new policy, consignors either have to:
 - i. be approved by the appropriate authority as a "validated" Known Consignor (KC), or
 - ii. become an "unknown consignor" with all cargo subject to 100% security screening prior to being loaded on to a commercial aircraft.

To comply with the policy direction, CAD has enhanced the RAR and launched the Regulated Air Cargo Screening Facility (RACSF) scheme in 2018 and the Known Consignor (KC) validation scheme in 2020 after consultation with the air cargo industry representative bodies.

1.3 The **five main entities** under the RAR are aircraft operator (airline), cargo terminal operator (CTO), regulated agent (RA), known consignor (KC) and regulated air cargo screening facility (RACSF). A cargo handling agent, a freight forwarder or any other entity who conducts business with an airline can apply for registration as an RA. An RA is required to comply with the relevant requirements set out in its Regulated Agent Security Programme (RASP) and the Handling Procedures for Regulated Agent Regime (RAR) in order to prevent the unauthorized carriage of explosives and incendiary devices in the consignments of cargo intended for carriage by commercial aircraft. The followings are the **two** typical flows of air cargo through air cargo supply chain.



Air Cargo Supply Chain

Note: KC validated by CAD and Unknown Consignors can also tender the cargo to CTO/Airline direct, without routing through RA.

2. NOTICES TO REGULATED AGENTS

2.1 All RAs shall comply with all the requirements and directions contained in the Notices to RAs given from time to time by the CAD. RAs will normally receive an e-mail from the CAD when a Notice is given to them. Notices to RAs are available at CAD website:

https://www.cad.gov.hk/english/newrar_notices.html

3. RAR TRAINING

3.1 **REQUIREMENTS**

- 3.1.1 Each RA shall have at least two staff members who have either passed the RA Revalidation Test organized by the CAD (the Test) or attended an RA Security Training Programme acceptable to the CAD (the Training Programme). Upon passing the Test or completion of the Training Programme, "RA Revalidation Test Result Notification" or training certificates will be issued to individual candidates. All passing Notifications and training certificates carry a validity of 3 years. Before expiry of the 3-year period, RAs shall arrange for their staff to attend the Test for the revalidation of the Notifications or to complete the Training Programme for revalidation of the training certificates for another 3 years. RAs who have their trained staff left their companies should arrange training for their replacement staff to comply with the above training requirements within 3 months after the departure of the trained staff.
- 3.1.2 Those who have passed the Test or completed the Training Programme should internally brief the staff members with access to consignment designated as air cargo and/or related shipping documents. It is the responsibility of an RA to arrange their respective in-house recurrent training in order to ensure their staff members are continuously familiarized with the RAR requirements. RAs shall maintain records of **internal security awareness training** conducted as per the intended frequency specified in their Regulated Agent Security Programme (RASP). A sample of such internal security awareness training record can be downloaded at CAD website:

https://www.cad.gov.hk/english/newrarform.html

- 3.1.3 Those who failed the Test should attend the next available test, or alternatively attend the Training Programme to meet the RA training requirement.
- 3.1.4 For the schedule and arrangement of RAR Revalidation Test, and course organisers offering RA security training programme, please refer to CAD website:

https://www.cad.gov.hk/english/newrar_training.html

3.2 SYLLABUS OF RAR TRAINING AND REVALIDATION TEST

1. Objective of cargo security

(a) To prevent the unauthorized carriage of explosives and incendiary devices in the consignments of cargo intended for carriage on commercial aircraft

2. International and local requirements

- (a) Annex 17 to the Convention on International Civil Aviation
- (b) Background of ICAO new policy direction
- (c) Aviation Security Ordinance (Cap. 494) and Aviation Security Regulation (Cap. 494A)
- (d) Security Programme
 - (i) Hong Kong Aviation Security Programme
 - (ii) Aircraft Operator Security Programme / Regulated Agent Security Programme / Regulated Air Cargo Screening Facility Security Programme / Known Consignor Security Programme
- (e) Handling Procedures for regulated agent regime (RAR), regulated air cargo screening facilities and known consignors
- (f) Notice to regulated agents, regulated air cargo screening facilities and known consignors

3. Threats and risks to civil aviation

- (a) Previous acts of unlawful interference with civil aviation and terrorist acts, and potential consequences in case of insufficient safeguarding or complacency
- 4. Identification of potential threats and recognition of suspicious behaviour or activities

5. Key parties of air cargo security regime

- (a) 5 main parties of the regime (aircraft operator, cargo terminal operator, regulated agent, regulated air cargo screening facility and known consignor)
- (b) Definition and responsibilities of aircraft operator, cargo terminal operator, regulated agent, regulated air cargo screening facility, and known consignor

6. Known cargo and unknown cargo handling procedures

- (a) Classification of known cargo (SPX cargo) and unknown cargo
- (b) Procedures for handling known cargo (SPX cargo) and unknown cargo
- (c) Use of regulated agent codes and security status (SPX)

7. Physical protection of cargo

- (a) Cargo acceptance
- (b) Warehouse security (physical measures, access controls, segregation of known cargo from unknown cargo and protection of known cargo prior to loading onto trucks)
- (c) Chain of custody Secure Transportation (driver, vehicle, secure transportation means)

8. Security screening methods for clearing unknown cargo, including alternative methods of screening cargo which is difficult to be screened by x-ray equipment

9. Exempted cargo

10. RAR Training for Nominated Persons and Security Awareness Training

11. Personnel Security

(a) Pre-employment and recurrent background check of staff and contractors

12. Handling Procedures for Regulated Agent Regime (RAR)

13. Maintenance of documents

- (a) Required documents
- (b) Document retention period
- (c) Confidentiality

14. Treatment of high risk cargo (including suspect cargo)

- (a) Actions on high risk cargo (including suspect cargo)
- (b) Actions on unresolved suspicions
- (c) Actions when explosive or incendiary device identified

15. Self-assessment and regulatory oversight

4. EXEMPTED CARGO

- 4.1 Certain categories of cargo are exempted from security controls (including security screening). The exempted cargo shall be clearly declared on shipping documents as such and be accompanied with, if any, necessary documents as required by relevant Hong Kong SAR or overseas government's department for tendering the cargo (e.g. sanitary certificate). They include:
 - a) transit cargo, provided that it is protected against unauthorized interference;
 - b) transfer cargo, provided that it is protected against unauthorized interference;
 - c) human remains / ashes;
 - d) livestock;
 - e) biomedical samples, vaccines and other perishable medical items;
 - f) life-sustaining items such as blood, blood products, bone marrow and human organs;
 - g) official diplomatic bags/pouches, in accordance with the provisions of the Vienna Convention; and
 - h) radioactive materials packaged according to ICAO Doc 9284 and identified as such, or items that will endanger the life or health of screeners.

(Only (c)-(h) are relevant to RAs as (a) and (b) are handled by CTOs)

- 4.2 In order to ensure that the above categories of cargo are secure for transport by air, prior to acceptance such cargo should be:
 - a) clearly declared on shipping documentation as such, and have undergone a verification process to ensure that the cargo matches the description on the documentation (e.g. air waybill);
 - b) physically checked on receipt for any signs of tampering;
 - c) subject to documentary checks and direct verification, such as by a telephone call to the consignor, in order to establish their bona fide status; and
 - d) reasonably safeguarded from unauthorized interference until it has been accepted by cargo terminal operators.
- 4.3 For livestock, all accompanying items, such as feedbags, cages and containers, should be subjected to security screening and appropriate security control in addition to those described in 4.2 above.
- 4.4 The RA shall maintain a record of the justification and details of the employee or authorized representative who determined that cargo shipment to be exempted.
- 4.5 The RA shall also annotate its RA code as per <u>1.1.2</u> and the security status "SPX" of the consignment of exempted cargo on the MAWB as per <u>1.2</u>. Before tendering the cargo to CTO, a pre-declaration shall be submitted by the RA to CTO through respective CTO's pre-declaration platform to specify the category and/or commodity of exempted cargo for the CTO to perform acceptance check.

5. NOTIFICATION OF CHANGE OF REGULATED AGENT SECURITY PROGRAMME (RASP)

- 5.1 As stipulated in the Declaration of Compliance Regulated Agent (i.e. Part III of the form of Application for Registration as Regulated Agent), an RA shall inform the CAD in writing as soon as reasonably possible if there is any change of the information contained in the application form, including the RASP. An RA can do so by submitting a duly completed Notification of Change of Regulated Agent Security Programme (RASP) by fax: 2362 4257 or by e-mail to <u>rar@cad.gov.hk</u>.
- 5.2 The Notification of Change of Regulated Agent Security Programme might be updated from time to time. Please refer to the website below for the most up-to-date form.

https://www.cad.gov.hk/english/newrarform.html

6. RAR REGULAR SELF-ASSESSMENT

- 6.1 RAs shall conduct regular self-assessment with reference to the RASP and the Handling Procedures for RAR, at least once every two years, in order to identify any internal deficiencies or security procedures that are not being properly implemented or that may require enhancement. The results of each self-assessment shall be maintained for 3 years and be available for the announced and unannounced inspections by CAD.
- 6.2 A sample checklist for regular self-assessment can be downloaded at: <u>https://www.cad.gov.hk/english/newrarform.html</u>

7. REGULATORY OVERSIGHT BY CAD

- 7.1 RAs are subject to announced and unannounced inspection by CAD for the purpose of monitoring the compliance with the relevant security requirements stipulated in their RASP, the Handling Procedures for RAR, notices and any other directions given from time to time by CAD.
- 7.2 Failure to comply with the stipulated requirements may lead to the request of submission of a corrective action plan (CAP) to CAD. **Major deficiencies identified may result in suspension or de-registration of the RA status.** The following are some non-exhaustive examples of **major deficiencies**:
 - a) tendering unknown/unscreened cargo as known/screened cargo;
 - b) failing to prevent unlawful interference or ensure tamper evidence of known/screened cargo (including not using Secure Transportation (ST) means accepted by CAD when transporting known/screened cargo);
 - c) not having any qualified personnel to take up the position of nominated persons; and
 - d) failing to implement a previous CAP for deficiencies.
- 7.3 Please refer to Notice to RA 6/2021 for the detailed mechanism of handling deficiencies committed by RAs. The link is as follows:

https://www.cad.gov.hk/english/pdf/Notice_to_RA_6-2021.pdf

Annex 1a

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Annex 1b

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Annex 2

Register of Security Seals used for tendering Known Cargo

				To which			(A1) Type			or (C) Seal No.
		Departure		CTO /			of	(A2) Seal No.		
S/N	Date	Time from	Truck	RA /	MAWB	ULD	Secure Net	of Secure	or (B) Seal No.	for ULD
		RA	No.	RACSF	No.	No.	used	Net	for Box Truck	Container
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Annex 3a

Declaration	of Export	Consianme	ent – Bulk
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Security check required: o Yes		• No		
Agent Name:		IATA code:		
AWB No:	Airline:	Destination	on:	
Date:				
Pieces	Dimension	Pieces	Dimension	

Pieces	Dimension	Pieces	Dimension
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Total Pieces: _____

Total Weight: _____

Signature with Company Chop: _____

Annex 3b

Declaration of Export Consignment – Prepacked Unit

Security check required: o Yes	• No
Agent Name:	IATA code:
ULD No:	Contour:

Date: _____

AWB No.	Dimension	Pieces	Weight
5			

Signature with Company Chop: _____

Annex 4a

Regulated Agent Aviation Security Declaration For Inter-Regulated Agent Handling

1. On behalf of ______(Name of Regulated Agent) I, the undersigned, confirm that, unless otherwise stated, all consignments of goods consigned for carriage by air by *me/my company to ______(Name of Receiving Regulated Agent) will not contain any explosive or incendiary device and are protected to my best endeavour against unauthorized interference during preparation, storage and transportation.

2. I agree that the packaging and contents of the consignments may be examined for security reasons.

3. I agree that I shall immediately notify _____(Name

of Receiving Regulated Agent) once my RA status is removed from the CAD Register

Regulated Agent Code registered under the Civil Aviation Department

Name of Person-in-Charge / Nominated Person for Cargo Security (Full Name in Block Letters)	Signature & Company Chop
Position	Date
Company Address^	

[^]This is a one-off declaration which is **site-specific**. If the company address is changed, the RAASD should be updated and the new declarations should be lodged to partnering RAs.

* delete as appropriate

Annex 4b

ABC Cargo Forwarding Co. Ltd. (RA98765) – Pre-declaration for tendering known cargo to other RA / RACSF

Known cargo tendering to	XYZ Freight : (RA Code: X	Forwarding Ltd. XXXX)	Date & Time of Dispatc	h : 10/10/2020 22:59
Seal Serial No.	: ABC123456	7, ABC1234568	MAWB / HAWB No	b. : 168-21059399
Vehicle Licence Plate No.	: VH 1234			
Details of the know	wn cargo			
S/N	Piece(s)	Gross Weight (Kg)		
1	13	312.00		
2	1	1000.00		
Total :	14	1312.00		
Note:		Signature w company ch	th : Chan	Fai ABC Cargo Forwarding Co. Ltd.

This is only a sample of the Pre-declaration for tendering known cargo to other RA / RACSF. KCs / RAs / RACSFs may design their own format as long as all the required information can be covered.

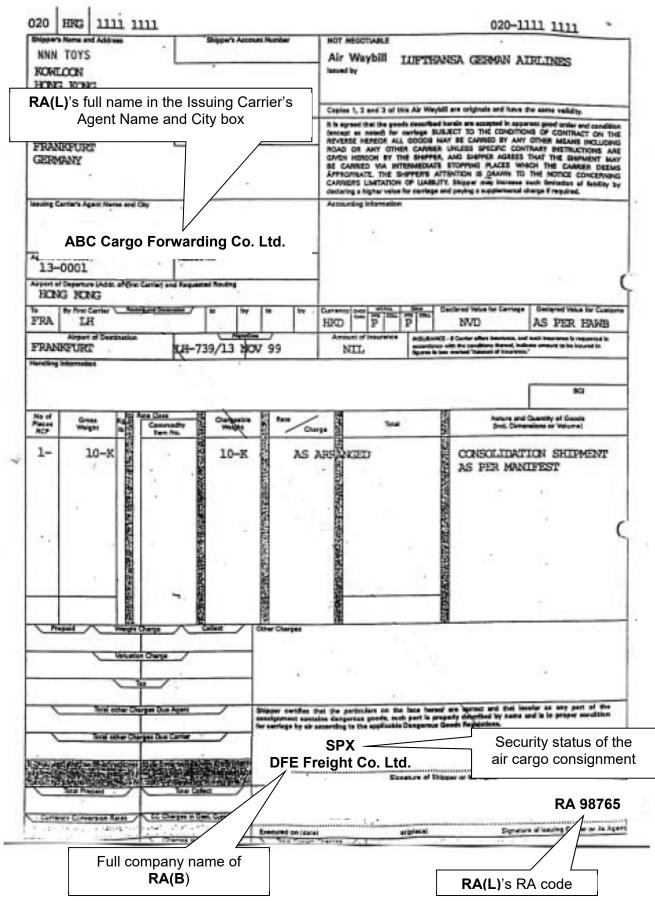
Annex 4c

Form of Undertaking for Inter-RA AWB Handling

Section I	
l, for and on behalf of	
	(company name of MAWB assignee regulated agent)
	(RA code)
hereby declare to	
	(company name of MAWB assignor regulated agent)
that in order to use the Master Air Waybill (MAWB)	
Master Air Waybill Number:	,
borrowed from the above named MAWB assignor,	I will follow the procedures set out in Section II for
tendering the air cargo consignment under the abo	ove Master Air Waybill.
Section II	
Section II	
Tick the appropriate box(es). The cargo consignment under the above MAWB w	/ill be tendered to a cargo terminal operator as:
□ known cargo (i.e. cargo consignment with secur	
as required in Part A Section $3.2.4$ of the Handl	ing Procedures for Regulated Agent Regime.
□ unknown cargo (i.e. consignment with security s	tatus "UNK" or without any security status) and I will
follow the procedures as required in Part A Sec	tion <u>3.2.5</u> of the Handling Procedures for Regulated
Agent Regime.	
Section III	
Full Name	
(in block letter):	Position in Company:
Signature and	
Company chop:	Date:
Note: 1 This Declaration shall be completed and signed by the Perso	n-In-Charge or the Nominated Person for Cargo Security of the
MAWB assignee regulated agent.	
2 The original of this Declaration shall be retained by the MAW	B assignor regulated agent with a copy provided to MAWB assignee

regulated agent.

Annex 4d



Annex 4e

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