



## **Notice to Regulated Air Cargo Screening Facilities 2/2020**

---

### **Mechanisms of Handling Non-Compliance of Regulated Agents regarding Screening Summary Report Submission during Transition Period to Implement ICAO's New Policy Direction**

This notice serves to inform all Regulated Air Cargo Screening Facilities (RACSFs) of the Civil Aviation Department's (CAD) mechanisms of handling non-compliance of Regulated Agent (RAs) regarding screening summary report submission during the Transition Period to implement International Civil Aviation Organisation's (ICAO) New Policy Direction on Air Cargo Security, and their implications to RACSFs.

#### **Background**

2. As announced on CAD's website, RAs are required to comply with the screening percentage requirements stipulated by the CAD throughout the Transition Period. There are **ten equalization assessments** in the Transition Period to assess the compliance of RAs against the required screening percentage of each phase:

<b>Transition Phase</b>	<b>Date</b>	<b>% of known cargo required to be screened</b>	<b>Period for Equalization Assessment</b>
Phase 1	Jan 2020 – Apr 2020	25%	<b>Jan 2020 – Apr 2020 (4 months)</b>
Phase 2	May 2020 – Aug 2020	40%	<b>May 2020 – Jun 2020 (2 months)</b> <b>Jul 2020 – Aug 2020 (2 months)</b>
Phase 3	Sep 2020 – Feb 2021	70%	<b>Sep 2020 – Oct 2020 (2 months)</b> <b>Nov 2020 – Dec 2020 (2 months)</b> <b>Jan 2021 – Feb 2021 (2 months)</b>
Phase 4	Mar 2021 – Jun 2021	100%	<b>Mar 2021 (1 month)</b> <b>Apr 2021 (1 month)</b> <b>May 2021 (1 month)</b> <b>Jun 2021 (1 month)</b>

### **Mechanisms for Handling RA's non-Compliance regarding Screening Summary Report Submission**

3. Should an RA fails to meet the CAD's requirements, as assessed in each equalization assessment, during the Transition Period (i.e. fail to submit screening summary reports and/or corrective action plan (CAP), or repeatedly fail to meet required percentage of screening), its RA status may be **suspended or de-registered by the CAD**. For details of CAD's mechanisms, please refer to the *Notice to RAs 2/2020* at:

<https://www.cad.gov.hk/english/pdf/Notice%20to%20RA%20-2020%20Screening%20Summary%20Report%20Non-Compliance%20Handling.pdf>

### **Implications of Suspension / De-Registration of RA Status to RACSFs**

4. It should be noted that RAs under suspension or de-registration would be **removed from CAD's RA Register** ([https://www.cad.gov.hk/english/newrar\\_rareg.html](https://www.cad.gov.hk/english/newrar_rareg.html)). They would not be able to exercise their rights as RAs, including but not limited to consigning their cargo as known cargo by annotating the security status (SPX) and RA code on their shipping documents. **All of their cargo shall therefore be tendered as unknown cargo and subject to 100% screening.**

5. In accordance with the Handling Procedures for RACSF, an RACSF shall only receive cargo from valid RAs for security screening. Therefore, **an RACSF shall not directly receive cargo from suspended and de-registered RAs for security screening**. Suspended and de-registered RAs shall send their cargo to Cargo Terminal Operators (CTOs) for security screening instead.

6. You are reminded that an RACSF cannot, acting on behalf of an RA, annotate security status of screened cargo (SPX) and the RA code on the shipping documents of the RA before tendering their cargo to CTOs / airlines. In this connection, even if cargo from a suspended / de-registered RA has been physically screened at an RACSF, its status will still remain as unknown cargo. Whilst RAs have been reminded of their responsibility to send these cargo to CTOs for screening instead, **RACSFs should also, at their best endeavor, regularly check that cargo tendered for screening are from valid RAs on CAD's RA Register** in order to avoid unnecessary waste of handling time and manpower.

7. Similarly, if an RACSF itself is also an RA but its RA status is under suspension or de-registration, it cannot self-screen its own cargo (i.e. tendered using the company's RA status) and has to tender the cargo to CTOs for screening instead. That said, such RACSF may still conduct screening for cargo tendered by other valid RAs.

**Enquiries**

8. For enquiries, please contact CAD at 2910 8695 and 2910 8696 during office hours (09:00 – 12:00; 14:00 – 17:00) daily, except Saturday, Sunday and public holidays.

31 July 2020

Aviation Security Section  
Airport Standards Division  
Civil Aviation Department