



## Notice to Regulated Agents 3/2021

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### Important Reminders for Phase 4 of Transition Period for ICAO New Policy Direction

This notice serves to summarize the important points to note for Regulated Agents (RAs) regarding Phase 4 of the transitional arrangement for the International Civil Aviation Organisation's (ICAO) New Policy Direction on Air Cargo Security commencing **from 00:00 hrs on 1 March 2021**.

#### Important Points to Note regarding Transition Phase 4

2. The Government has been implementing a transitional arrangement since January 2020. The transitional arrangement requires RAs to gradually increase the screening percentage of known cargo consigned by consignors not validated by CAD to 100% in phases before the deadline imposed by ICAO (i.e. 30 June 2021).

3. With active support from the air cargo industry, the transitional arrangement has been proceeding smoothly. As Phase 4 will commence shortly on 1 March 2021, CAD has summarised some important points for RAs' reference:

#### *Phasing out of Known Consignors (KCs) and Account Consignors (ACs) recognised by RAs and aircraft operators*

- (i) **RAs and aircraft operators will no longer be allowed to recognise their own KCs and ACs.** All signed *Known Consignor Declaration of Compliance* (KCDoC, a.k.a. **KC forms**) and *Account Consignor Declaration of Compliance* (ACDoC, a.k.a. **AC forms**) will cease to have effect **regardless of whether the expiry date is on or after 1 March 2021**.
- (ii) **At / after 00:00 hrs on 1 March 2021 (based on the date and time printed on the Reception Check List (RCL) issued by CTOs during cargo acceptance), cargo accepted by Cargo Terminal Operators (CTOs) shall be 100% screened prior to being loaded onboard aircraft**, unless they are tendered by KCs validated by the CAD under CAD's KC Validation Scheme ([https://www.cad.gov.hk/english/vkc\\_register.html](https://www.cad.gov.hk/english/vkc_register.html)). As mentioned in *Notice to RAs 3/2020*, **hand search / physical check by staff members of**

**RAs is no longer accepted. RAs / RACSFs are reminded to take the above into account during planning.**

- (iii) It is noted that a small number of RAs not meeting the required screening percentage in the previous phases explained that their co-loading RAs have not arranged screening for them. Please note that **tendering RA(s) and receiving RA(s) shall communicate with each other and ensure that the cargo has been screened before tendering them as known cargo (SPX cargo) to CTOs / aircraft operators.**

*Annotation of Security Status for Known Cargo (“SPX”)*

- (iv) RAs shall **annotate “SPX” on shipping documents (e.g. MAWB / HAWB / co-load forms) only after the consignment has been screened OR confirming that such cargo is tendered by a KC validated by the CAD. RAs shall not annotate “SPX” on shipping documents for unknown cargo (e.g. before the cargo is screened and turned into known cargo).**

*Application of Secure Transportation (ST) Means on Known Cargo*

- (v) **All known cargo handled by RAs / RACSFs (including cargo screened at RACSFs and cargo tendered by validated KC) shall be protected by ST means accepted by the CAD (see [https://www.cad.gov.hk/english/icao2021\\_ts.html](https://www.cad.gov.hk/english/icao2021_ts.html)) during transportation before acceptance by CTOs / aircraft operators.** If an RA (or its contractor) is involved in applying ST means, it shall be reflected in its *Regulated Agent Security Programme (RASP)*.
- (vi) During cargo acceptance check, the recipient of the known cargo (e.g. a CTO or the next RA / RACSF) shall check the seal serial numbers and the integrity of the ST means to ensure that the cargo has not been tampered with.
- (vii) You may be aware that “ULD containers with metal door and equipped with numbered tamper-evident seals and locks” is one of CAD’s accepted ST means. If RAs / RACSFs would like to secure other types of ULD containers on open trucks, such as those with canvas door, they could (or seek relevant vendor to) submit a method statement to CAD for assessment, providing details of the ULD containers and relevant security measures. **Please be reminded that ST means not accepted by CAD shall not be used to secure known cargo / screened cargo.**

*Screening of Difficult-to-Screen Cargo*

- (viii) As promulgated in *Notice to RAs 3/2020*, RAs shall liaise with RACSFs or CTOs to arrange screening of oversized / odd-sized cargo using alternative screening methods (i.e.

explosives trace detection (ETD), hand / physical check at piece level or other screening methods proposed by CTOs / RACSFs and accepted by the CAD) only after RACSFs / CTOs confirmed that x-ray screening for the cargo is genuinely not practicable. **For cargo requiring ETD screening, RAs may wish to engage RACSFs which have ETD equipment to perform such screening, or perform such screening at a CTO. Cargo being difficult-to-screen is not a valid reason for not conducting 100% screening of unknown cargo.**

### ***Cargo Exempted from Security Screening***

- (ix) *The Handling Procedures for RAR Part B Section 4* states that certain categories of cargo (e.g. livestock, human remains) are exempted from security screening. RAs are reminded that the exempted cargo shall be clearly declared on shipping documents and supplemented by the necessary supporting documents, and shall be properly declared to CTOs in their pre-declaration platforms.

### ***Maintenance of Screening Records***

- (x) RAs shall continue maintaining the screening records (i.e. screening receipts or reception checklists), together with the corresponding MAWBs / HAWBs, for at least 31 days for CAD's inspections according to the requirements in the *RASP*.

### ***Non-Compliance with CAD Requirements***

- (xi) RAs shall **not attempt to (a) tender unknown / unscreened cargo as known / screened cargo; (b) tender non-exempted cargo as exempted cargo; and (c) tendering known / screened cargo without applying ST means.** Such action(s) will be treated as a **major deficiency resulting in suspension or de-registration of the RA status.** For more details of CAD's mechanism of deficiency handling, please refer to *Notice to RAs 4/2021* ([https://www.cad.gov.hk/english/pdf/Notice\\_to\\_RA\\_4-2021.pdf](https://www.cad.gov.hk/english/pdf/Notice_to_RA_4-2021.pdf)).

### **Monthly Submission of Screening Summary Report to the CAD in Phase 4**

4. Similar to the arrangement in Phase 1 - 3, RAs are required to submit screening summary reports on a monthly basis to the CAD. The report proforma can be downloaded from CAD's website ([https://www.cad.gov.hk/english/newrar\\_xray.html](https://www.cad.gov.hk/english/newrar_xray.html)). RAs are reminded of the following:

- (i) RAs shall submit the report to [rar\\_qcp@cad.gov.hk](mailto:rar_qcp@cad.gov.hk) on or before the 10<sup>th</sup> calendar day of each month for the security screening conducted in the previous month. RAs are requested to submit the summary report to the CAD in a timely manner.

- (ii) As stated in *Notice to RAs 1/2020*, CAD noted that there can be minor discrepancies between the weight shown on screening records and the corresponding MAWBs / HAWBs. As such, RAs are reminded that the weight shown on MAWBs / HAWBs should be used for both “gross weight of screened unknown cargo” [(a) and (b) in the diagram below] and the “total gross weight of unknown cargo (and any exempted cargo where applicable)” [(c) in the diagram below] for calculation, where possible.

Transition Phase (Screening Requirement)	Month	Gross Weight of Unknown Cargo Screened by		Total Gross Weight of Unknown Cargo (and any Exempted Cargo where Applicable) (kg)	Percentage <sup>#</sup>
		X-ray (kg)	Alternative screening methods (kg) <small>(Note i)</small>		
		(a)	(b)		
Phase 4 (100%)	March				
	April				
	May				
	June				

### **Enquiries**

5. For enquiries, please contact the CAD at 2910 6880, 2910 8695, 2910 8696 and 2910 8697 during office hours (09:00 – 12:00; 14:00 – 17:00) daily, except Saturday, Sunday and public holidays.

26 February 2021  
Aviation Security Section  
Airport Standards Division  
Civil Aviation Department