

### **Accreditation by the South African Civil Aviation Authority as a Known Consignor**

We have been requested by clients to discuss the reasons that the accreditation of a company as a Known Consignor under Part 108 of the Civil Aviation Regulations must be undertaken under the supervision and control of the Regulated Agent (freight forwarder) with whom the company does business.

It is the Designated Official of the Regulated Agent (who is responsible for all matters of air cargo security within the operations of a Regulated Agent) who has a particular responsibility and duty during the process of accreditation of a Known Consignor. This duty and responsibility is imposed on the Regulated Agent in general and on the Designated Official in particular by the Regulations.

Several companies have been accredited by the SACAA without the assistance or co-operation of the Designated Official acting on behalf of the Regulated Agent with whom the prospective known consignor does business.

This is not only irresponsible it is contrary to Regulations.

We would expand on this statement by discussing the various Regulations and the duties of the Regulated Agent and Designated Official in terms of these Regulations.

### **Regulations applicable to accreditation as a Known Consignor**

The accreditation of an organisation is governed by the Civil Aviation Regulations and companies or organisations wishing to become accredited as a Known Consignor must comply with the following sections of Part 108 of the Civil Aviation Regulations:

#### **Duties of regulated agents regarding known consignors**

##### **108.02.2**

*(1) All regulated agents who conduct business with and receive known cargo from known consignors shall –*

- (a) verify whether the known consignor is a holder of a known consignor accreditation certificate issued in terms of this Part;*
- (b) document the identity and address of the known consignors and advise the Director of the details of these known consignors;*

The Designated Official of the Regulated Agent can only “document the identity and address” of a known consignor through a personal visit to the prospective known consignor or by being involved in the accreditation process.

- (c) *have on record a declaration from a known consignor stating that:*
- (i) *consignments of known cargo are prepared in secured premises;*
  - (ii) *all personnel employed to handle known cargo and shipping documentation have been subjected to background checks and have received job-specific cargo security familiarisation training as stipulated in Document SA-CATS ACS;*
  - (iii) *consignments of known cargo are protected from unlawful interference during preparation, storage and transportation;*
  - (iv) *consignments do not contain any explosives or other dangerous goods or devices or substances unless declared as such;*
  - (v) *air waybills, despatch notes or other valid transportation documents have been signed by authorised personnel; and*

The declaration referred to above can only be accepted by the Regulated Agent (particularly (c) (iii) above) if the Regulated Agent's Designated Official has been involved in the process and has had the opportunity of verifying the information provided in the declaration.

- (d) *conduct random inspection quality control checks of the premises and cargo of known consignors to ensure that the requirements of this Part are adhered to, and maintain documented records of such quality control checks.*

This requires no elaboration, the participation of the Regulated Agent and Designated Official are obviously essential in compliance with this section.

*(2) The declaration referred to in sub-regulation (1)(c) shall be valid for a period of twelve months from the date of signature by the consignor.*

*(3) Cargo may be opened and examined for security reasons.*



**Requirements for known consignor**

**108.02.3**

*(1) Any person who has a known consignor relationship with a regulated agent and wishing to be accredited and listed by the Civil Aviation Authority as a known consignor shall apply to the Director for accreditation as a known consignor.*

The implication of this section is very clear, the prospective known consignor must have a relationship with a Regulated Agent and it is only the Designated Official of the Regulated Agent who is in a position to verify that such a relationship exists. The SACAA is not in a position to verify this relationship without the active intervention of the Designated Official of the Regulated Agent.

*(2) The person wishing to become a known consignor shall ensure that:*

- (a) consignments of known cargo are packed and secured by the known consignor in secure premises;*
- (b) all personnel employed to handle cargo to be shipped by air and shipping documentation have been subjected to background checks and have received job specific cargo security familiarisation training as stipulated in the SA-CATS-ACS;*
- (c) all personnel employed to conduct familiarisation training as stipulated in Document SA-CATS-ACS have been subjected to background checks;*
- (d) consignments of known cargo are protected from unlawful interference during preparation, storage and transportation;*
- (e) procedures relating to the protection, storage and transportation of known cargo are documented;*
- (f) records of all shipping documents are maintained in accordance with the requirements of Document SA-CATS-ACS;*
- (g) all business is conducted in line with the requirements of the security manual of each regulated agent with whom he conducts business.*

The appropriate Standard Operating Procedure to enable a prospective known consignor to operate in accordance with the Security Manual of each Regulated Agent with whom he does business can only be supplied through the Designated Official of each Regulated Agent.

The Designated Official would be required to satisfy himself that the business of the known consignor is conducted in line with the Security Manual, this could not be done by the SACAA acting alone, they would not be in a position or have the authority to make this determination without the co-operation and participation of the Regulated Agent and Designated Official

- (h) consignments of known cargo are sealed with tamper-evident seals or tamper evident packaging and that such seals or tamper-evident packaging remain intact whilst in his or her possession.*

### **Service Proposal**

**Professional Risk** has extensive experience in managing the accreditation process and is ideally placed to assist in this regard.

The following processes and operations are required in order to achieve compliance with Part 108 of the Regulations:

1. Provide personnel who handle cargo and cargo documentation with Air Cargo Security Familiarisation Training which is required under the regulations. This requires refresher training every 24 months.
2. Conduct a security survey of the premises where cargo is packed, sorted, stored and despatched. We will make security recommendations if necessary.
3. Collect the documentation necessary in order to conduct criminal checks of personnel, as applicable.
4. Assist in the completion of a Consignment Security Declaration which is valid for 12 months. Your Regulated Agent is required to hold a copy of this document.
5. Assist in the development of a written Standard Operating Procedure covering the fundamentals of the security procedures that are required for handling air cargo and its despatch

The SACAA has the right to visit the premises at any time to complete the accreditation process or to confirm compliance.

We will guide you in securing compliance with the Regulations in order to obtain accreditation, and will assist in your remaining accredited.