

**CONSIDERATION OF STAKEHOLDER COMMENTS ON THE REVISED CIVIL AVIATION (SECURITY) REGULATIONS 2019 DURING THE MEETING AT OLE SERENI ON WEDNESDAY 15<sup>TH</sup> JANUARY, 2020**

No.	Name	Organization / Position	Affected Part / Regulation	Comments / Remarks	Response / Action Taken
			<b>PART I</b>		
1.	Gad Kamau	Z. Boskovic	-	Observed that the current KCAS Regulations have been very prohibitive and should therefore be divided in terms of jurisdiction to separate Local from International operations.	As explained by Capt Tom Ogenche – Separating KCASRs for local operations from KCASRs for International operations sighting JKIA Cat I Status and being that Aviation Security operates as a system. Similarly sights the difficulties in filling differences with ICAO as required by ICAO Articles 38 & 39. Some Cat D and E aerodromes have been exempted from some regulations, e.g. Regulations 13(7), 24(9) and 27. However, the provisions of Standard 2.2.2 apply.
2.	Capt. Gilbert M. Kibe	DG, KCAA	Preamble	Suggested that the clause reading “IN EXERCISE of the powers...on page 5 be reviewed to read “Cabinet Secretary responsible for Civil Aviation” instead of “the Cabinet Secretary for Transport, Infrastructure, Urban Development, Housing and Public Works” to cater for further possible eventuality or re-organization of government Ministries.	Adopted as suggested in the preamble to read –  IN EXERCISE of the powers... the Cabinet Secretary responsible for Civil Aviation makes the following regulations

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3.	Col. Waithaka	KAAO	Reg. 2(1)(a)	Establish the difference between Aerodromes and Airports and decide on the applicable term.	Resolved to adopt the term Airport instead of Aerodrome since Annex 17 and the Regulations uses Airport prominently. The Regulations and the Aviation Security Manual (11 <sup>th</sup> edition of 2019) defines Airport as - <i>Any area in a Member State which is open for commercial aircraft operations.</i>  The change from aerodromes to airports also effected in Regulation 13(3)(i)
4.	Col Waithaka	KAAO	Reg. 2 (2)	Suggested that the Scope of Applicability as contained in Reg. 2 (2) be increased to include Fuel Suppliers, Travel Agents and any other entities who play key roles in aviation but are not among the list of those that these regulations are applicable to.	Incorporated in Regulation 2(2)(d)
5.			2(1)(c)	To add ANS in the applicability -	ANS is already included in Regulation 2(1)(c)
6.	Mr. J. Nzioka	KCAA/ANS	Reg. 3 (a)	Under Purpose of Regulations, to review by including the words 'and Security' after the statement 'for the safety'.	Incorporated as recommended in 3(a)
7.			Reg. 4	Suggests the inclusion of definition of the term Air Navigation Service	Definition copied from the Civil Aviation Act and incorporated
8.	Stephen Gichura	AVSEC Consultant	Reg. 4	Definition of "aircraft security check" to replace the word "passengers" with the word "persons".	Actioned as recommended although ICAO still defines it with passengers. Rationale being that other persons

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					besides passengers do access the cabin, e.g. cleaners, etc
9.	Col. (Rtd) Waithaka		Reg. 4	Suggests inclusion of definitions of controlled area, restricted area and airside to clear ambiguity that may exist.	The terms “Controlled area” and “Restricted area” are not used in these regulations and therefore no need to define them. Besides, ICAO Annex 17 and the ICAO Aviation Security Manual does not use them. However, the terms “Security Restricted Area” and “Airside” are already defined in the regulations.
10.	Lilian Esiromo	KQ	Reg. 4	Suggested the inclusion of “Courier” in the scope of the regulations.	The term is covered under cargo and mail and in the Regulated Agent regime.
11.	Patrick Nyoki (written comment)	KAA	Reg. 4	Definition of MANPADS Remove shoulder-launched and make it more inclusive. Remove carried by one or two people	ICAO is yet to provide a definition for MANPADS. Have included a definition as provided under the “Wassenaar Agreement of 2004” on MANPADS
12.	Alex	Air Traffic Services	Reg. 4	Suggested the inclusion of the definition of “Dangerous goods”.	Definition added in Regulation 4 (Source: ICAO Aviation Security Manual)
13.	Steve Gichura	AVSEC Consultant	Reg. 4 & 13(3)(i)	Suggested that KCASRs adopts the use of either “aerodromes” or “airports” all through in the document.	Adopted the use of the term “airports” instead of “aerodromes”. See <i>Item No. 3 above</i> .
14.	Chris Kuto	Board Member, KCAA	Reg 4	We need to put NCASP in the interpretation to mean its Kenya National Civil Aviation Security Programme.	Adopted under the definition of “national civil aviation security programme.”
			<b>PART II</b>		
15.	Patrick Nyoki (written comment)	KAA	Reg. 5(1)(b)	Paraphrase to read, develop and implement regulations, practices and procedures that are	The text (Reg. 5(1)(b) has been reworded as appropriate.

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				capable of <b>enabling responding agencies to respond rapidly</b> to meet any increased security threat for purposes of safeguarding civil aviation against acts of unlawful interference, taking into account the safety, regularity and efficiency of flights;	
16.	Col.(Rtd) Waithaka		Reg. 5(3)	Suggested that where indicated state(s) in the KCASRs, to make the 's' an upper case 'S'.	Actioned for various regulations that were affected by this
17.	Charity Muthoni	DANS, KCAA	Reg. 5(4)(a)	To consider reviewing the statement "the State's Territory" being the word "territory" is political and Kenya's is responsible for other airspaces beyond its political territory. <i>Promised to provide AVSEC with a generic statement used in other departments to guide in the same.</i>	Reworded to read – "...shall keep under constant review the level and nature of threat to civil aviation within the <b>Republic of Kenya and the airspace for which it is responsible</b> , and establish and implement policies and procedures to..."
18.	Gichura <i>(written comment)</i>	AVSEC Consultant		Change states to Kenyan's territory	Actioned as above <i>(Item No. 17)</i>
19.	J. Nzioka	KCAA/ANS	Reg. 5(4)(a)	Suggested the use of other terms such as 'FIR' to replace the word 'territory'.	Actioned as above <i>(Item No. 17)</i>
20.	Vincent Opondo <i>(Written comment)</i>	KCAA	Reg. 5(4)(g)	Sensitive aviation information has not been defined.  Recommendation: shall ensure appropriate protection of sensitive aviation information including <b>cyber threats to aviation information</b>	<i>ICAO Doc 8973 (11<sup>th</sup> edition) defines <b>Sensitive Aviation Security Information</b>. Information that, if accessed by or disclosed to unauthorized persons, could create or be used to exploit a vulnerability or facilitate an act of unlawful interference against civil aviation.</i>

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21.	J. Nzioka	KCAA/ANS		Include definition of the term 'Sensitive Aviation Information' and also define Cyber Security and Cyber Information.	Definition of Sensitive Aviation Security Information provided as above. Cyber Security and Cyber Information are not used in these regulations.
22.	Vincent Opondo <i>(Written comment)</i>	KCAA	Reg. 6	There is need to include ANS facilities as are not within the confines of the airport.	ANS Provider and facilities are included under 'Operator' which is defined to include ANS
			<b>PART III</b>		
23.	Gad Kamau	Z. Boskovic	Reg. 9(1)(b)	Requested KCAA to look into the mode of distribution of the relevant scripts of the NCASP to stakeholders	It was explained how the distribution of the relevant extracts of the NCASP are done. Some government agencies like KAA, KAPU, NIS get a whole copy.
24.	Patrick Nyoki <i>(written comment)</i>	KAA	Reg. 9(1)(b)	'The Authority shall make available to Airports ... a written version of the appropriate parts of the National Civil Aviation Security Programme .' How is the Airport expected to conducted coordination of stakeholders and conduct QC activities if it is only provided with parts of the programme? The Airport operator should receive the whole document because of scope of its operations.	The airport operator (especially KAA) gets the whole copy of NCASP and this is indicated on the distribution list of the document.
25.	Stephen Gichura	AVSEC Consultant	Reg. 9(1)(b)	9(1)(b) to include the sharing of other national programs (NCASTP, NCQP)	Reg. 9(1)(b) is as required by the ICAO standard. The NCASTP is distributed as per the distribution list. The NQCP is for the Authority.
26.	Gad Kamau	Z. Boskovic	Reg. 10(3)(j)	Reg. 10 (3) (j); Suggested that this regulation be split so that the two Associations of domestic or local and international be	Reg. 10(3)(j) amended to read "representative of the airlines."

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				independent and clear. To relook at the representation of the airlines in the NCASC	
27.	NCTC REP	NCTC	Reg. 10(3)(o)	Reg. 10(3)(o); Include NCTC into the NCASC membership	Already included as “the national agency responsible for counter-terrorism”
28.	Patrick Nyoki <i>(written comment)</i>	KAA	Reg. 10	There is also another committee called Border Control Operations Coordination Committee (BCOCC) that reports to National Security Advisory Committee (NSAC) just like National Civil Aviation Security Committee (NCASC). There is need to clarify the roles of the two committees because the membership at the lower level is almost the same. There is need to review National Security amendment Act 2014 to accommodate Aviation Security and facilitation committees as provided for in the Annex 17 to the convention on international Civil Aviation	Matters Aviation are provided for under Annexes to the Chicago Convention. ICAO Annex 17 only recognizes the National Civil Aviation Security Committee and the roles are well stipulated.
29.	Gichura <i>(written comment)</i>	AVSEC Consultant	Reg. 11(1)(g)	Add “ <b>security incidents</b> ” and acts of unlawful interference are investigated;	Actioned as recommended
30.	Susan Ombele	British Airways	Reg. 11(4)	11(4) Does this requirement of notification also include internal quality control activities carried out by operators like airlines to their own network operations?	A sub-regulation 11(5) has been introduced to exempt Kenyan registered operators on condition that records of the internal quality control activities are kept and made available to the Authority on request.
31.	Patrick Nyoki <i>(written comment)</i>	KAA	Reg. 11(4)	Does this require an airport operator to notify KCAA on its intended internal quality control activities that include audits, inspections and tests?	

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				Does this requirement apply to Airlines seeking to conduct inspections at Kenyan Airports on the station operations of their Airlines and state agencies?	
32.	Gichura <i>(written comment)</i>	AVSEC Consultant	Reg. 11(4)	Include investigations too	
33.	Victor Njeru <i>(Written comment)</i>	KAA	Reg. 11(4)	Does this require an airport operator to notify KCAA on its intended internal quality control activities that include audits, inspections and tests?  Does this requirement apply to airlines seeking to conduct inspections at Kenyan airports on the station operations of their airlines.	
34.	Angela Rugut	State Department of Transport - MOTIHUD	Reg. 13(6)	Reg. 13 (6); Suggested review of the use of the terms "Airports" and "Aerodromes" to standardize the Regulations.	Actioned by adopting the term "airports" in line with the provisions of Annex 17. However, Reg. 13(6) uses Aerodrome because it is citing another set of Regulations that use such term.
35.	Patrick Nyoki <i>(written comment)</i>	KAA	Reg. 14	There is need for Airline operators, Ground handlers, Regulated agents, catering services and operators offering security services to deposit an approved copy of their programme with the Airport operator for the purposes of monitoring compliance with Airport operation requirements. Provide a clause for this requirement in the regulations	Provided for under Regulation 19(4)

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36.	Victor Njeru <i>(Written comment)</i>	KAA	Reg. 14(3)(e)(ix)  Reg. 15(2)(e)(ii)	Requirement is for protection of screened hold baggage, cargo, mail and catering supplies.  For inclusivity, capture the protection of hold baggage, cargo, mail and catering supplies that might be exempted through a validation process.	Added “screened” in Reg. 14(3)(e)(ix);  Baggage, cargo or mail from validated stations is still considered as screened.
37.	Patrick Nyoki <i>(written comment)</i>	KAA	Reg. 16	What happens in a situation where Aircraft operators whether charter or scheduled decides that they want to source their catering supplies from outside the Airport? What procedures will be applicable?	Such supplies will be subjected to screening and other security controls by the airport operator as appropriate just like airport supplies/merchandise.
38.	J. Nzioka	ANS, KCAA	Reg. 17 (1)	Reg. 17 (1); Requested that the Categories of ANS Providers be broken down as some Providers are independent such as Radar Surveillance Units and therefore operate independently and off airports/aerodromes.	Definition of ANS provided from the Civil Aviation Act and include in Regulation 4.
39.				Also suggested that the definition of ANS Providers be expanded to include Meteorological Services and Search and Rescue.	
40.			Reg.17(2)(f)(i)	Reg.17(2)(f) this is for airport operator not ANS	Reg. 17(2)(f)(i) amended to substitute facilitation with ANS facilities.
41.			Reg.17(2)(f)(iii)	Said that background checks and Security Awareness Training (SAT) is not possible for ANS.	This requirement applies to all operators, not ANS only. Others have been complying. SAT is conducted by the airport operator (KAA).
42.			Reg. 17 (4)	Reg. 17 (4); Observed that it is not possible to Review ANSP once yearly as suggested in	This requirement has been amended for all operators, to once every two



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				the draft Regulations, therefore suggested the review to be done once every two or three years.	years. (See Reg. 13(5), 14(5), 15(5), 16(4) and 17(4). The NCASP is also to be reviewed once every two years (see Reg. 9(3)).
43.	Vincent Opondo <i>(Written comment)</i>	KCAA	Reg. 17	<p>Recommendation: (1) A person shall not operate an enterprise or an organization whose purpose is the provision of services to air traffic including air traffic management (ATM), communications, navigation and surveillance systems (CNS), meteorological services for air navigation (MET), search and rescue (SAR) and aeronautical information services (AIS) without a written Air Navigation Service Provider Security Programme approved by the Authority.</p> <p>Alternatively ANS should be defined in the definitions</p>	Air Navigation Service has been defined as lifted from the Civil Aviation Act 2013
44.	Vincent Opondo <i>(Written comment)</i>	KCAA	Reg. 17	<p>(f) procedures for—</p> <p>(i) <b>coordination and communication with stakeholders at airports on security and facilitation matters;</b></p> <p>(ii) ensuring the security of air navigation service facilities, air navigational aids including access control measures for persons and vehicles;</p> <p>(iii) <b>personnel security to include background checks and security awareness training for all air navigation service staff who have</b></p>	Actioned under items 40 and 41 above

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				<p>unescorted access to the airside or security restricted areas;</p> <p>The once highlighted in RED do not directly apply to ATSP. This could have been a copy paste scenario instead you need to add procedures for:</p> <ol style="list-style-type: none"> <li>1) Cyber security in ATM</li> <li>2) Procedures for access to restricted areas such as control rooms, ATM Systems and Air Navigation Facilities</li> <li>3) Procedures to perform ATM Security threat and risk assessment</li> <li>4) Training of ANSP personnel</li> <li>5) Third party providers</li> <li>6) protecting electronic data used by communication, navigation and surveillance (CNS) systems</li> </ol>	Some of the aspects like training of ANSP added
45.	Vincent Opondo <i>(Written comment)</i>	KCAA	Reg. 17	<p>(g) contingency planning and response for aviation security-related emergencies including—</p> <p>THIS needs to include:</p> <ol style="list-style-type: none"> <li>1) Cyber attacks</li> <li>2) Laser Attacks</li> </ol>	<p>Cyber-attacks added under 17(2)(g)(v).</p> <p>Laser attacks are safety-related, not security and are covered under different regulations</p>
46.	Vincent Opondo <i>(Written comment)</i>	KCAA	Reg. 17	(4) The Air Navigation Service Provider Security Programme shall be reviewed and	See response in item 42 above.

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				updated as need arises and <u>at least once a year.</u>  Its not possible to review a program more than once every year. This should be at least once every 3 years or when the need arises.	
47.	Patrick Nyoki <i>(written comment)</i>	KAA	Reg. 19	Does it mean approval and returning the programme take the same period of thirty (30) days? The approval should take 30 days and returning for amendments should be 15 days.	Status quo remains, i.e. Approval = 30 days (Reg. 19(1)&(2))  Resubmitted programme = 15 days (Reg. 19(3))
48.	Chris Kuto	KCAA Board Member	Reg. 22(1)	Reg. 22 (4); Suggested that the word “National Civil Aviation Security Programme” be qualified by the word “Kenya” to make it more specific.	The Authority represents the State (Kenya). The document (NCASTP) is titled Kenya NCASTP.
49.	Lilian Esiromo	KQ	Reg. 22(4)	Reg. 22 (4); Suggested that the word “valid” be inserted so as to read “without a valid certificate or authorization”.	Actioned as recommended
50.	Patrick Nyoki <i>(written comment)</i>	KAA	Reg. 22(5)	Has the authority developed National inspectors’ certification curriculum and if so when is its effective date of implementation?	Yes. Provided for under the NCASP and NASCP
51.	Patrick Nyoki <i>(written comment)</i>	KAA	Reg. 23(2)(c)	The Authority need to be clear on which entity is supposed to conduct Security Awareness training considering resource constraints and what are the applicable charges. At the moment KAA is doing the bulk of the awareness despite the requirements of Regulation 35 that require operator to do it	The NCASTP requires SAT to be conducted by the airport operator. However, SAT is also conducted by Instructors from other operators who are certified by KCAA and authorized to conduct it internally. SAT is part of building a security culture at the airport which is beneficial to the airport operator.

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52.	Vincent Opondo <i>(Written comment)</i>	KCAA	Reg. 24(6)	Include Meteorological Services	Not necessary. Can be invited when there's need. ANSP rep. can represent MET issues as well.
			<b>PART IV</b>		
53.	Gichura <i>(written comment)</i>	AVSEC Consultant	Reg. 25(2)(b)(vi)	<p>This is not flowing from 25 (2) and is a repetition of 25 (2) page 51</p> <p>(xvii) ensure the use of appropriate screening methods that are capable of detecting the presence of explosives and explosive devices carried by persons other than passengers on their persons or in their items carried. Where these methods are not applied continuously, they shall be used in an unpredictable manner;</p> <p><i>Delete one without the word ensure</i></p>	<p>Reg. 25(2)(b)(vi) applies to passengers and their cabin baggage;</p> <p>Reg. 25(2)(b)(xvii) applies to persons other than passengers and items carried</p>
54.	Patrick Nyoki <i>(written comment)</i>	KAA	Reg. 25(2)(b)(xix)	The role of a supply chain security process is an oversight function and not an Airport operator function and therefore this role should be assigned to the Regulator as required.	The airport operator's role here is apply measures required as part of the supply chain process (where necessary) or conduct screening.
55.	George N. Nakasangah	KCAA, AVSEC	Reg. 25 (2)(b) (xxi)	Reg. 25 (2)(b) (xxi) to insert the word 'with' between the two words "accordance" and "risk assessment".	Actioned as recommended
56.			Reg. 25 (2)(i)	Reg. 25 (2) (d) (i); To vary the Full-Scale Contingency exercise to read "at least once in every three (3) years" as had been agreed earlier.	Full-scale to be conducted once every two years instead of three.

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57.	Nathan Yego	DAC Aviation	Reg. 25 (2) (d) (i)	Reg. 25 (2)(i): To put a rider on the Applicability/Exemption of conducting Contingency exercises of Categories D and E airports.	This can be catered for under Regulation 76.
58.	Muga Peter	KQ	Reg. 25 (2) (b)	Reg. 25 (2) (b); Requested that a Regulation be included to classify aircraft hangars as airside.	No need. Aircraft hangars are classified as part of Security Restricted Areas (as per definition). ASP provisions also apply in designating these areas (landside / airside / SRAs).
59.			Reg. 44 (2) (b)	Reg. 44 (2) (b); Suggested that the use of the terms 'Kenya' and 'State' be harmonized to avoid their interchangeable use, understanding and interpretation. 44(2)(b) states should be in capital	Reference being made here is about the other State, not Kenya.
60.	Patrick Nyoki <i>(written comment)</i>	KAA	Reg. 44(2)(b)	Has the authority developed inflight security programme for security officers on board commercial Aircraft? If so, has it been circulated?	An IFSO Programme is provided as Appendix 42 of the NCASP
61.	Sakina	KQ	Reg. 44(6)	44(6) to consider using Kenya instead of State	N/A. The reference here is not about Kenya
62.	Victor Njeru <i>(Written comment)</i>	KAA	Reg. 46(h)	Be explicit on whether the security status must be issued in Kenya or if the Security status issued outside Kenya are accepted as a security status for operators in Kenya.	The secure supply chain extends even beyond the borders (in/out) of Kenya. The CSD is an internationally accepted document for known cargo. Where rescreening is conducted, a fresh CSD is issued.
63.	Victor Njeru <i>(Written comment)</i>	KAA	55(1)	Definition of the word "incident" or the intended scope of reporting in relation to such incidents	No ICAO definition exists for incident. However, the term incident replaced with "act."

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64.	George N. Nakasangah	KCAA, AVSEC	Reg. 50 (3) (i) & (j)	Reg. 50 (3) (i) & (j); Suggested that the two paragraphs (i) and (j) be merged to form one Paragraph since (j) is still a continuation of (i).	50(3)(j) deleted and (i) retained
65.			Reg. 51 (2) (i) & (j)	Reg. 51 (3) (i) & (j); Observed that the two paragraphs also be merged since (j) is a continuation of (i) and they contain the same subject.	51(3)(i) deleted and (j)
66.	Gichura <i>(written comment)</i>	AVSEC Consultant	Reg. 51(3)(b)	Need to require such a person be appropriately trained in Aviation Security	Added requirement for training as per the requirements of NCASTP
67.	Victor Njeru <i>(Written comment)</i>	KAA	Reg. 54(2)	Definition of the word "incident" or the intended scope of reporting in relation to such incidents	Incident means any occurrence
			<b>PART V</b>		
68.	Patrick Nyoki <i>(written comment)</i>	KAA	Reg. 56(1)(b)	Add the word <b>order</b> before safety to cover passengers who at times become rowdy at the terminal buildings	Added the term "order"
69.			<b>PART VI</b>		
70.	Gad Kamau	Z. Boskovic	Reg. 61	Wondered why the penalties are so stiff to the tune of One million Kenya shillings even for 'minor offences' like trespassing into a security restricted area at airport/aircraft premises.	That is the maximum fine. How minor or major the offence is will be a matter of how the case is prosecuted and defended and the penalty determined by the court
			<b>PART VII</b>		
71.	Rodgers Manana	KAA	Reg. 73(b)	Reg. 73 (b); Suggested that the term "lawful means" be inserted to replace "reasonable means".	We need not 'tie' the hands of the security officers and police officers in the restraining of a person who is committing an act of unlawful interference by inserting lawful means
72.	Kuchio Tindi	Legal, KCAA	Reg. 73(b)	Reg. 73 (b); We need not 'tie' the hands of the security officers and police officers in the	Concurred

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				restraining of a person who is committing an act of unlawful interference by inserting lawful means	
73.	Albert Ochoka	KQ	Reg. 14(3) (c)	Reg. 14 (3) (c); Suggested that the Appointed Officer be reinforced by the term "Post Holder" to make him/her the final person, only next to the CEO, in matters Aviation Security.	Status quo remains.
			<b>PART VIII</b>		
74.	Capt. Gilbert Kibe	DG, KCAA	Reg. 81	To put cabinet secretary responsible for civil aviation	
				<b>Additional General Comments</b>	
75.	Vincent Opondo <i>(Written comment)</i>	KCAA	-	Generally a good document. Kindly there needs to be SECTIONS on ICT Security (Cyber/Security) and LASER ATTACKS	ICT incorporated across various stakeholder roles.  Laser Attacks are safety-related, not security.
76.	Gichura <i>(written comments)</i>	AVSEC Consultant	-	Kindly include the following Any entity with security responsibility establishes policy and procedures to: - a) Notify, investigate and report any security incident that is associated with its allocated security functions as per NCASP or any other programme; b) Develop a CAP for eliminating the cause of any security incident reported and investigated to prevent recurrence c) Conduct quality control and ensure corrective action for an incident that	Already captured in the regulations and the NQCP.

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				has been identified during internal quality control;	
77.	Stephen Kamau <i>(written comments)</i>	KQ – Canine Unit	-	Proposal for National Requirements on use of explosives detection dogs (EDDs) for aviation security purposes. We need some regulation on compliance, monitoring, technical / operational procedures, and establishment of a certification process for EDDs in aviation	Work In Progress – for consideration at a later stage.
78.	Gad Kamau, & Col. Waithaka	Z. Boskovic & KAAO	-	There should be another stakeholders forum to look at what has been incorporated into the revised regulations to own the KCASRs.-	To be considered. Stakeholders shall be notified to attend a 1 day meeting at KCAA Auditorium
79.	Vivo Fuel Company Rep.	Vivo Energy	-	There's need to regulate fuel farms, porters travel agents at airports – e.g. Vivo Fuel company rep.	These are covered under respective ASPs and functions stipulated therein.
80.	Waithaka	KAAO	-	To look at this regulation and regulate hangars especially the issue of access control to restricted areas through the hangars.	Hangers are part of Security Restricted Areas. ASP provisions can apply during designation of these areas.
81.				Create a provision within Regulation 56 where sanctions or penalties will be provided for persons and entities who fails to subject mail, cargo and persons to appropriate security controls within the Airport or Airstrips.	Already there's a penalty for failure to implement the provisions of security programmes (including screening, etc)
82.	Patrick Nyoki <i>(written comment)</i>	KAA	-	It appears that the bulk of the fines have been pegged at Ksh. 1 Million irrespective of the gravity of the offence. There is need to vary the fines according to the impact of the offence to the operations	That is the maximum fine. The gravity of the offence will be a matter of how the case is prosecuted and defended and the appropriate penalty determined by the court.
83.				"MANPADS" means man-portable air defense systems and are shoulder-launched surface-	Definition provided in Reg. 4 as per the Wassenaar Agreement.



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				to-air missiles that can be carried by one or two people and used against aircraft flying at low altitude; (b) develop and implement regulations, practices and procedures that are capable of enabling responding agencies to respond rapidly to meet any increased security threat for purposes of safeguarding civil aviation against acts of unlawful interference, taking into account the safety, regularity and efficiency of flights;	
84.				Add definition of "Unruly passenger"	ICAO Doc 8973 (11 <sup>th</sup> edition) has the definition and this has been added under Regulation 4.
85.	Kiptoo Leitich	KCAA, ANS	Reg. 4	Add cyber-attacks to the list of acts of unlawful interference	Incorporated in Regulation 4 under definition of acts of unlawful interference

--END--