

APPENDIX 33

CERTIFICATION PROCESS FOR CATERING OPERATORS

1. GENERAL

1.1 This guidance material is intended to assist in implementing the catering operator certification regime. It describes the approval process and requirements which an applicant is expected to meet in order to be certified as a catering operator.

1.2 The approval process, including the on-site inspection (also referred to as on-site validation), shall be carried out by the Kenya Civil Aviation Authority.

2. CRITERIA

2.1 The criteria for obtaining a catering operator certification shall include, but not be limited to, the capability of an entity to:

- (a) provide secure facilities for acceptance, the application of security controls, which may include screening, the secure storage of aircraft catering supplies and stores and secure ground transport;
- (b) properly recruit, select and train an adequate number of management and operational personnel, whether internal or contracted, for its operations, in accordance with NCASP and NCASTP requirements; and
- (c) continuously demonstrate compliance with the security requirements for catering operators, as established by KCAA.

2.2 The approval process for a catering operator shall be site-specific.

3. APPLICATION

3.1 Any entity applying for a catering operator certification shall complete an application form as prescribed by KCAA. The form shall be signed by the CEO or an accountable manager of the entity.

3.2 An application form should contain, at a minimum, the following:

- (a) entity name;
- (b) registered business address;
- (c) contact information, including telephone and facsimile numbers and/or e-mail addresses;
- (d) details of ownership of the entity;
- (e) description of the entity, including of core business or activities of the entity;
- (f) names, titles and contact details of senior management personnel including the person responsible for security;
- (g) a declaration that the information provided is accurate, and agreement that false information will result in disqualification;
- (h) signature of the CEO or Accountable Manager; and
- (i) date of application.

3.3 Applications for a catering operator certification shall be accompanied by a written catering operator security programme, detailing the policies, procedures and measures to be implemented by the entity, including recruitment, selection and training requirements for staff.

A Model Application form is attached in Annex 1 of this Appendix.

3.4 The following requirements, information or documents shall be submitted together with the application for review by KCAA at the beginning of the certification process:-

- (a) Certification fee (Kshs. 40,000/=);
- (b) A completed Prospective Catering Operator Pre-Assessment Statement (PCOPS) Form
- (c) Catering Operator Security Programme
- (d) Standard Operating Procedures or Work Instructions
- (e) Catering Operator Security Training Programme
- (f) KRA PIN Certificate and/or Tax Clearance Certificate
- (g) City/County Council Business Permit/Licence
- (h) Certificate of Incorporation
- (i) Suppliers Register/List
- (j) Customer Airlines' Register/List
- (k) List of Contracted Hauliers/Transporters (*if applicable*)
- (l) Copies of Background Check records and/or Police Clearance Certificates for Screeners and other security staff (including Contracted security) (*if applicable*)
- (m) List of Screeners and copies of Screener Certificates/Authorization from KCAA
- (n) Details of Security Service Provider and Certification/Authorization from KCAA
- (o) Any other relevant operational or business-related documents that the catering operator may produce or the Authority may request.

3.5 The applicant shall use the Document Evaluation Checklist provided in Annex 5 to this Appendix to ensure all applicable documents are submitted. The Application Form, together with the completed checklist and related documents shall be submitted to KCAA for review.

3.6 Records of all transactions regarding an application shall be maintained by KCAA, including the decision to accept or reject an application.

4. APPLICATION REVIEW

4.1 All application and accompanying documentation shall be thoroughly reviewed to determine their validity and accuracy, by contacting references listed on an application, either in person, by telephone or e-mail, or by verifying with the relevant issuing authority the validity and/or authenticity of any certificate, correspondence or document accompanying the application.

4.2 Security programmes shall be reviewed for compliance with the regulations and the NCASP and to ensure that procedures outlined in the programmes are addressed in sufficient depth as to provide adequate information and guidance for staff to follow.

5. ACCEPTED APPLICATION

5.1 If KCAA is satisfied with the information contained on an application form and the security programme submitted by an applicant, the Authority shall notify the applicant in writing and may include a date and time at which the Authority will conduct an inspection of the applicant's facilities or premises.

5.2 If an application has been accepted, the records shall be retained on file for the period the entity holds a valid certification, and a period of at least one year after such a certification has ceased.

6. REJECTED APPLICATION

6.1 The Authority shall deny acceptance or approval of an application if an applicant has failed to provide sufficient information or has provided incorrect information regarding its operations

and/or personnel, or if an applicant has been previously rejected for security or other un-addressed concerns.

6.2 If an application is rejected or not accepted by the Authority, the applicant shall be notified in writing as soon as possible of the decision taken by the Authority, and the reason for the decision, where appropriate. An appeal by the applicant against the decision taken by the Authority may be made with justification for reconsideration.

6.3 Rejected applications shall be retained on file for a minimum of 6 months and a maximum of one year.

7. INSPECTION OF FACILITIES

7.1 Prior to issuing a catering operator certification (COC) to an applicant, KCAA shall conduct an inspection of the applicant's facilities or premises to validate the information provided on the application form, and the policy, procedures and measures contained in the applicant's catering operator security programme.

7.2 Inspectors assigned to carry out an inspection or validation process shall ensure that, as a minimum, the following areas are checked or validated for compliance with national requirements and the applicant's catering operator security programme:

- (a) physical security measures and access control;
- (b) staff recruitment and background check procedures;
- (c) staff security training and certification procedures, programmes and records;
- (d) whether any other organizations share and/or use the same facilities and the security culture;
- (e) procedures for designation of known suppliers (if any);
- (f) process for reception of catering stores and supplies from known and unknown suppliers;
- (g) security controls and/or screening of catering supplies and stores;
- (h) protection and storage of aircraft catering supplies and stores;
- (i) procedures for the use of the Catering Security Declaration (CSD) (*see copy of CSD in Annex 4 to this Appendix*); and
- (j) transport and delivery of secure catering supplies and stores to aircraft operator.

7.3 KCAA Inspectors shall use a catering operator audit/inspection checklist provided in the Aviation Security Inspectors Manual (ASIM).

7.4 On completion of an inspection or validation process, if the Inspector is satisfied that an applicant's facilities or premises, security equipment and procedures, employment, training and certification records meet the national requirements, and are in accordance with its catering operator security programme, approval of the application shall be recommended in a report that shall be availed within 14 days of the audit to the operator.

7.5 If an inspector identifies areas that require remedial action, the applicant shall be given written notification that outlines the areas where the applicant has failed to meet the requirements for corrective action. If such areas of noncompliance are not significant or do not compromise the security of aircraft and civil aviation, the approval process may continue simultaneously with the applicant's corrective action.

7.6 The process for approval shall not continue if the findings indicate major non-compliances and the applicant shall be required to address them first.

7.7 KCAA Certification Team Leader shall complete the *Recommendations Memo Sheet for Issue/Renewal of Catering Operator Certificate*.

8. CATERING OPERATOR CERTIFICATE

8.1 Once the Team Leader's recommendation for certification of the applicant is approved, the Catering Operator Certificate (COC) shall be issued upon verification of payment of Kshs. 40,000/= (fourty thousand Kenya shillings) for a validity period of two years.

8.2 Where a catering operator has more than one site (branch), the sites shall be validated separately and each issued with its own COC.

9. CATERING OPERATOR LIST AND UNIQUE REFERENCE NUMBER (URN)

9.1 The Authority shall establish an appropriate database or list of all certified catering operators which may be stand-alone or be combined with that of Regulated Agents. The list shall contain, at a minimum, the name of the catering operator, registration number issued by the Authority (URN), business address, telephone contacts, and the validity period of the catering operator's certification. The list shall be kept current at all times and accessible by the certified catering operators, airport operators and aircraft operators through email or KCAA Website as appropriate.

9.2 Each certified catering operator shall be issued a unique reference number (URN) and the number issued to one certified catering operator shall not be issued to another. If a certified catering operator reapplies for certification after the validity period, and the application is successful, the validity period shall be renewed as appropriate.

9.3 Each Catering Operator's site / branch shall be assigned a Unique Reference Number (URN) in the format *KE/CO/XXX-XX/MMYY* which is decoded as follows:

- KE - Country code - for Kenya;
- CO - Category/Type of Operator, i.e. Catering Operator;
- XXX - Three-code company registration number assigned by KCAA (e.g. 001 – for NAS SERVAIR);
- XX - Two-code site number assigned by KCAA (e.g. 01 for NAS SERVAIR Nairobi or 02 for NAS SERVAIR Mombasa); and
- MMYY - Validation expiry month and year.

Example: URN: KE/CO/001-01/0420

Denotes 'country (KE - Kenya) / Type of Operator (CO - Catering Operator) / Company registration number assigned by KCAA (001 - NAS SERVAIR) - Site number assigned by KCAA (01 - NAS SERVAIR Nairobi) / Validation expiry month and year (0420 - April 2020).

9.4 The certified catering operators shall be required to record or print their unique reference numbers on specified catering supplies and stores-related documentation, such as catering security declarations (CSDs), and others that may require such information to be entered. It shall be an offence, punishable by fines and/or penalties, for a catering operator to fail to record or print its unique reference number on such documentation. Where other conflicting regulations require a different URN to be recorded on such documentation (e.g. EU regulations), the catering operator shall enter both URNs.

10. NOTIFICATION OF CHANGE

Each certified catering operator shall notify the Authority within a period of 30 days of any significant changes to its status or information provided on its Application or PCOPS form. Failure to comply with this notification requirement shall be made an offence, punishable by fines and/or penalties that may include suspension of the certification and removal from the list.

11. POST-CERTIFICATION MONITORING

11.1 The Authority shall establish a monitoring programme for certified catering operators to ensure that they continuously comply with national requirements and those of their approved catering operator security programmes. This programme shall include the periodic conduct of security inspections and tests of the catering operators' facilities and operations, including training activities, as part of the national civil aviation security quality control programme.

11.2 A detailed record of all inspections and tests conducted by the Authority, including the outcome and decisions or actions taken, shall be kept for each catering operator. Such records shall be retained by the Authority for the period in which the catering operator holds a valid certification, and for at least one year after certification has ceased.

12. DISQUALIFICATION, SUSPENSION, AND REVOCATION

12.1 The following criteria for the disqualification, suspension and revocation of a catering operator certification, as described below shall apply. All prospective and certified catering operators should be aware of these criteria during issuance of the certificate:-

- (a) **disqualification** — may result from an inability to meet the requirements for a catering operator at the application phase, and failure to maintain or implement the required security measures or procedures after administrative warnings or fines have been imposed by KCAA;
- (b) **suspension** — may result from a short-term inability to implement security controls required by KCAA, or a voluntary request by an entity to suspend its certification for a specified period or permanently; and
- (c) **revocation** — may result from continuous violations of national requirements or the entity's approved catering operator security programme, or the entity may no longer be involved in the handling, processing or storage of aircraft catering stores and supplies.

— — — — —
See related guidelines and related forms and checklists in the Annexes below.

Annex 1 to Appendix 33

Model Application Letter for Catering Operator Certification

(Name and logo of Applicant)
(Registered Business Address)

[Ref]

[Date]

**The Director General
Kenya Civil Aviation Authority
P.O Box 30163 00100
Nairobi.**

Attn: Director, Aviation Safety and Security Regulation

RE: APPLICATION FOR A CATERING OPERATOR CERTIFICATE

This is a formal application for a Kenya Civil Aviation Authority (KCAA) Catering Operator Certificate (COC).

(Name of Applicant), intends to be certified and operate as an aircraft catering operator under the Kenya Civil Aviation (Security) Regulations 2015. We intend to use handling and/or catering facilities located at *(location)*.

Our company will have its principal base of operation and corporate offices located at *(appropriate address)*.

Our management personnel are as follows *(indicate as appropriate/applicable)*:

- | | |
|--------------------------------|-------------------------------|
| 1. CEO and Accountable Manager | – Mr. Robert Matano Kuria |
| 2. Quality Manager | – Ms Crazy Tracy Grace |
| 3. Manager, Training | – Mr. Joel Day |
| 4. Manager, Security | – Mr. Dugdale O'toyoh Kenneth |

Enclosed herewith is the Catering Operator Security Programme and other documents required by the Authority and as listed in the Document Evaluation checklist.

I understand that submission of incomplete or falsified information or documents will result in disqualification.

Sincerely,

Prof. Robert Matano Kuria
Chief Executive Officer / Accountable Manager

*Enclosures

Annex 2 to Appendix 33
PROSPECTIVE CATERING OPERATOR PRE-ASSESSMENT STATEMENT (PCOPS) /
COC APPLICATION

SECTION 1:					
(To be completed by an Applicant for a Catering Operator Certificate)					
Section 1A.					
1.	Name and mailing address of company (include business name if different from company name):			2.	Address of the principal (main) base where operations will be conducted:
3. Proposed Start-up Date <i>(for new operations)</i> :					
4. Management and Key Staff Personnel:					
	Name (First / Surname)	Title	Telephone (include mobile) & Address (if different from company)		
Section 1B. (Tick as appropriate):					
5.	Proposed type of operation <i>(Check as many as applicable)</i> .				
	Catering Operator Certificate applicant intends to:				
	<input type="checkbox"/>	Receive, Handle and Process Aircraft Catering stores and supplies from known & unknown Suppliers			
	<input type="checkbox"/>	Receive, handle and process catering supplies and stores from known suppliers only			
	<input type="checkbox"/>	Receive, handle and process catering supplies and stores from unknown suppliers only			
	<input type="checkbox"/>	Designate known suppliers			
	<input type="checkbox"/>	Perform surveillance and inspections of catering stores and supplies and associated tasks to be performed by others <i>(Known Supplies)</i>			
	<input type="checkbox"/>	Other related operations <i>(describe)</i>			
Section 1C.					
6. Catering Operator Certificate Applicant's Customer Airlines					
No	Name of Customer Airline	Type of Operation of Customer Airline (indicate if Scheduled or Non-Scheduled)	Nature of Supplies of Stores provided to airline	Contact Telephone and/or Email	

Annex 3 to Appendix 33

CATERING OPERATOR SECURITY PROGRAMME

1. This appendix is intended to assist caterers in establishing a security programme that details the measures they should implement in order to conduct business with an aircraft operator. It has to be used in conjunction with other guidelines provided in the NCASP and the Civil Aviation (Security) Regulations and the Checklist for Approval of Catering Operator Security Programme (COSP) as provided by KCAA to assess compliance before submission of the programme to KCAA for approval.
2. A catering operator security programme shall be classified as restricted. The written programme shall be in short narrative form and shall detail how the catering operator meets each of the requirements specified in the extracts of the NCASP as provided by KCAA and the applicable Civil Aviation (Security) Regulations.
3. *See Appendix 4 of this Programme for a Catering Operator Security Programme Template*

Annex 4 to Appendix 33

CATERING SECURITY DECLARATION

Name of Catering Company/Supplier:	
Catering Operator's/Supplier's URN:	
Address of Catering Company/Supplier:	

On behalf of the above-named company, the undersigned certifies that:

1. Security requirements of the NCASP and the Civil Aviation (Security) Regulations are fully and properly implemented by [name of company] to ensure that catering stores and supplies do not contain any restricted articles which may endanger the safety of an aircraft, its passengers and crew; and
2. The company has:
 - a) implemented, and continues to maintain, a security programme detailing the measures and procedures applicable to catering stores and supplies;
 - b) appointed a security officer to be responsible for implementing the required security measures and the related quality control measures;
 - c) properly recruited and trained its staff to correctly receive, process and handle catering stores and supplies; and
 - d) taken the steps necessary to safeguard stores and supplies from the time they are received at the catering facility until they are delivered to an aircraft.

I understand that a false declaration has legal consequences pursuant to Regulation 68 of the Kenya Civil Aviation (Security) Regulations, 2015.

Name:	
Position held:	
Date:	
Signature:	
Company Stamp:	

Annex 5 to Appendix 33

KCAA CATERING OPERATOR DOCUMENT EVALUATION CHECKLIST:

The following list will serve as guidance on the information or documents that should be provided by the catering operator to KCAA for evaluation and approval or acceptance during initial certification or recertification as applicable.

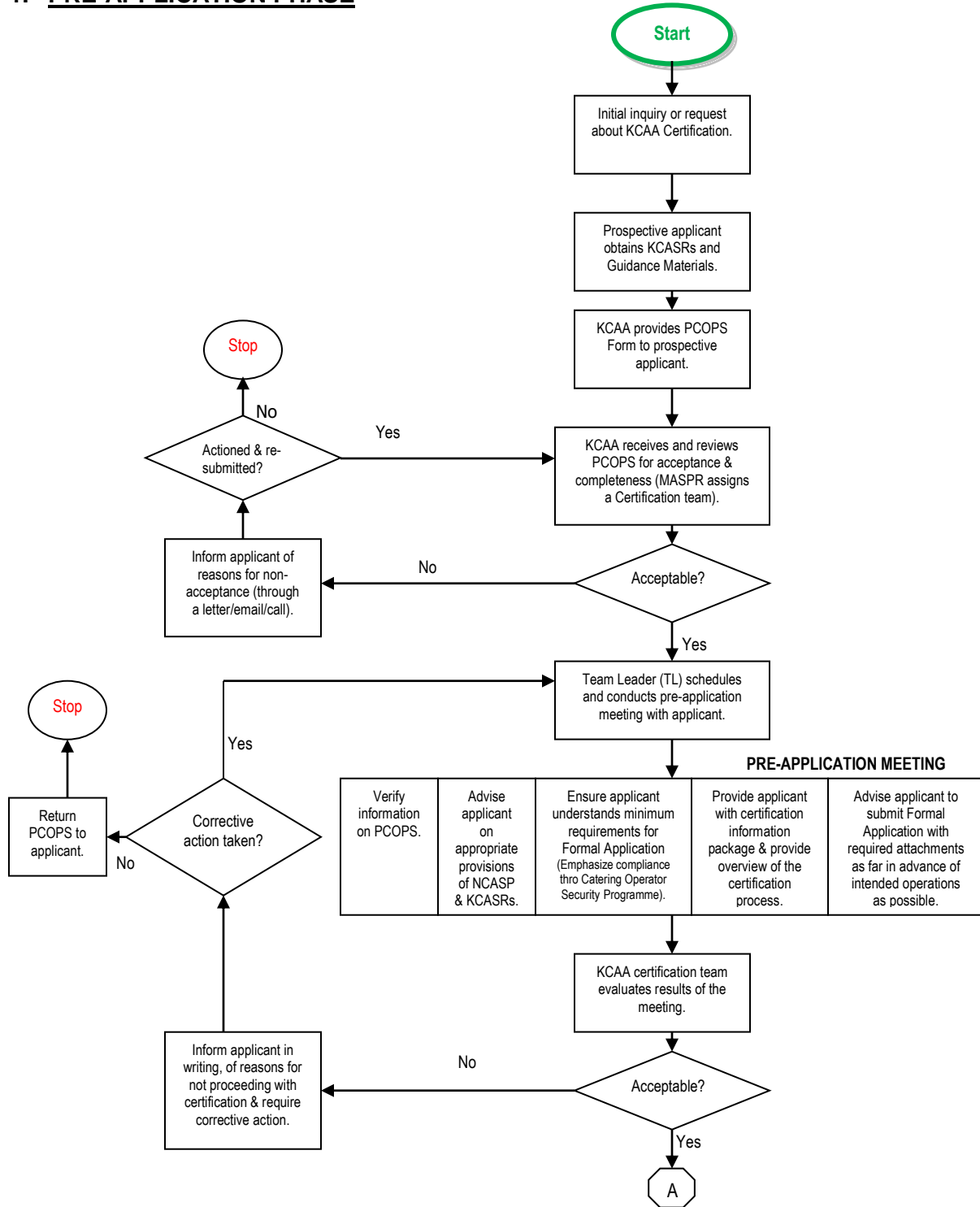
The Inspectors shall confirm the validity and existence of original documents (on site) while copies shall be produced by the catering operator and provided to the Team Leader for filing in the Operator's file/folder at KCAA HQs (in paper or electronic form).

No	Document	Available?	Remarks
		Y / N or N/A	
1	Certification fee (Kshs. 40,000/=)		
2	Duly completed Prospective Catering Operator Pre-Assessment Statement (PCOPS) Form		
3	Catering Operator Security Programme		
4	Standard Operating Procedures or Work Instructions		
5	Catering Operator Security Training Programme		
6	KRA PIN Certificate and/or Tax Clearance Certificate		
7	City/County Council Business Permit/Licence		
8	Certificate of Incorporation		
9	Supplier Register/List (<i>indicating name, address, location and contact person</i>)		
10	Customer Airlines' Register/List		
11	Copy of used Catering Security Declaration Form		
12	List of Contracted Hauliers/Transporters (<i>if applicable -indicating name, address, location and contact person</i>)		
13	Contracted Haulier Protocol (<i>if applicable</i>)		
14	Copy of Catering Operator Certificate (<i>applicable only to operators undergoing re-certification</i>)		
15	Copies of Background Check records and/or Police Clearance Certificates for Screeners and other security staff (<i>including Contracted security if applicable</i>)		
16	List of Screeners and copies of Screener Certificates/Authorization from KCAA		
17	Profile of Security Service Provider and proof of certification/authorization from KCAA (<i>if contracted</i>)		
18	Dangerous Goods documentation (<i>if handled/applicable</i>):		
	(a) IATA DGRs or ICAO Technical Instructions (TIs)		
	(b) DG Labels and handling information to Staff		
	(c) Copy of Shipper's Declaration for Dangerous Goods		
	(d) DG Acceptance Checklist		
19	Any other business-related or operational documents that the catering operator may produce or the Authority may request:		
	(i)		
	(ii)		

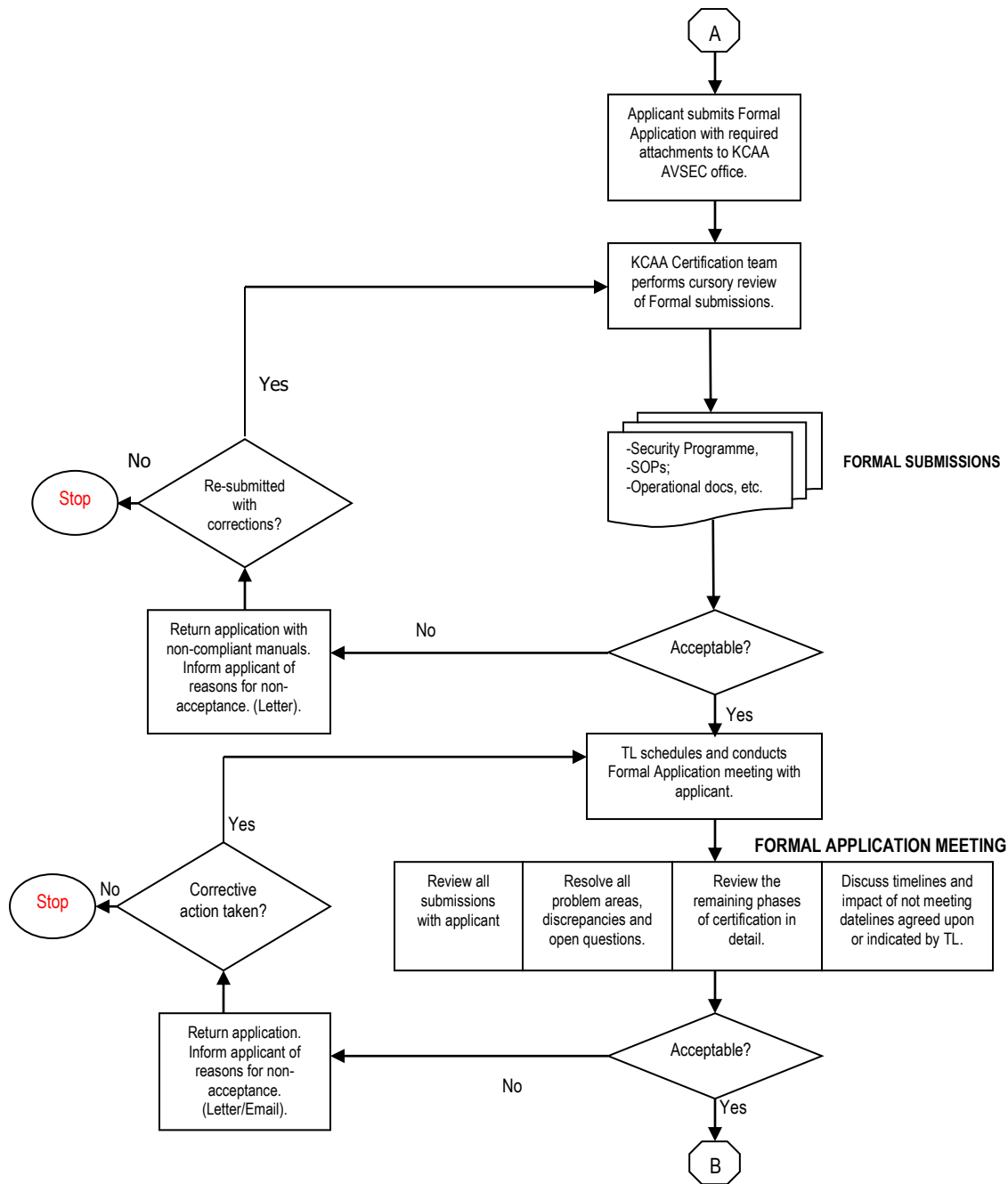
Annex 6 to Appendix 33 Flow Charts on Catering Operator Certification Process

The flow charts on the following pages are representative of the 5-Phase Catering Operator Certification Process in Kenya.

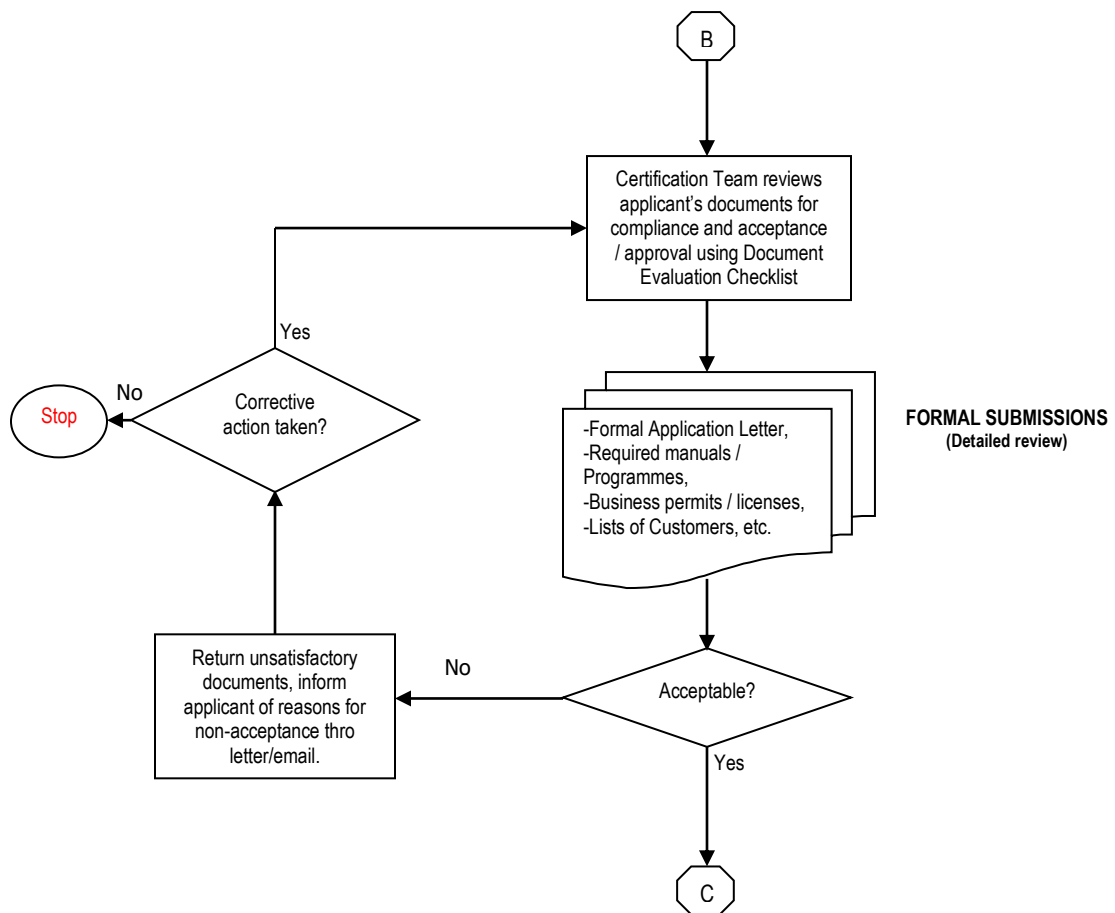
1. PRE-APPLICATION PHASE



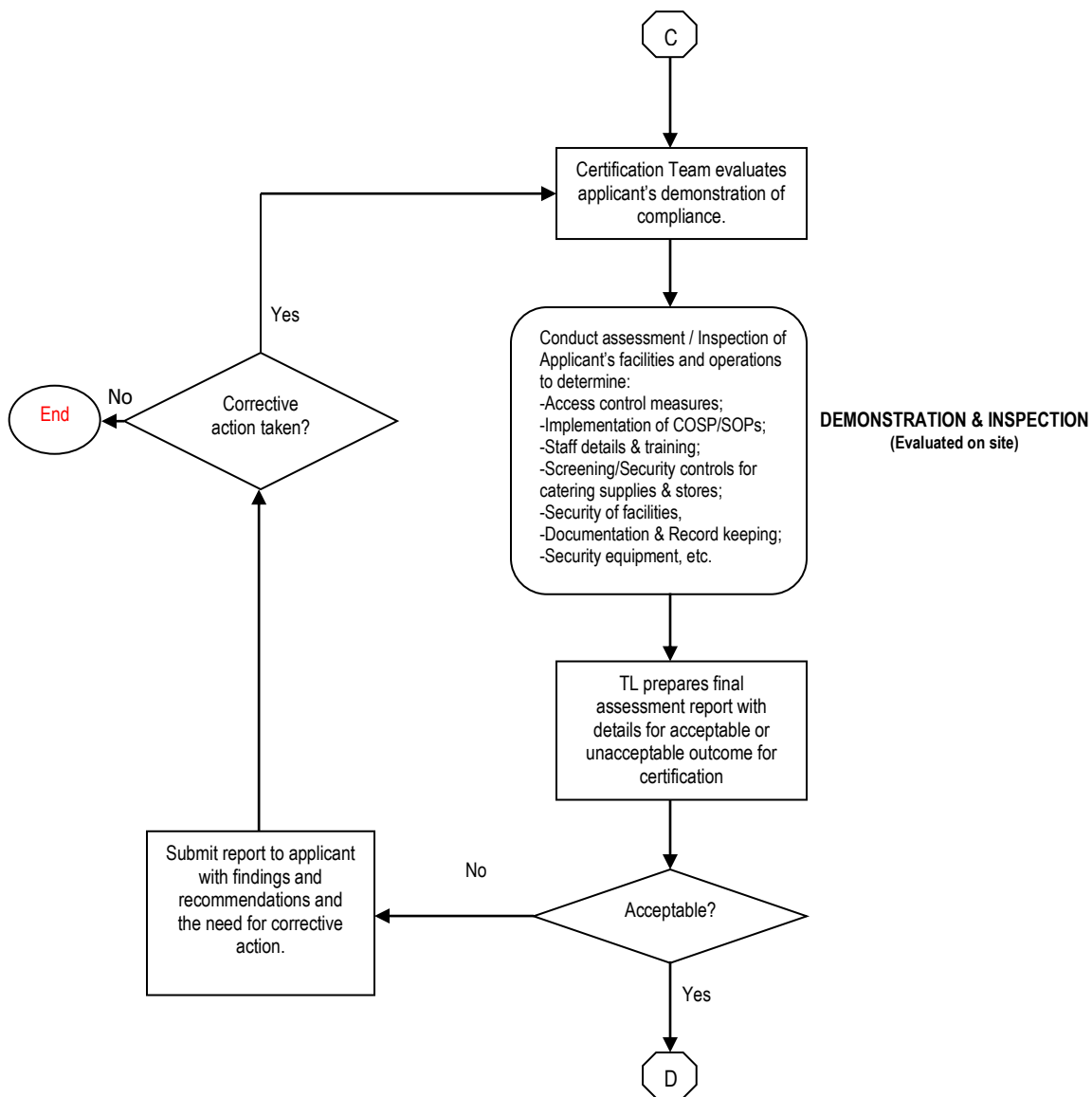
2. FORMAL APPLICATION PHASE



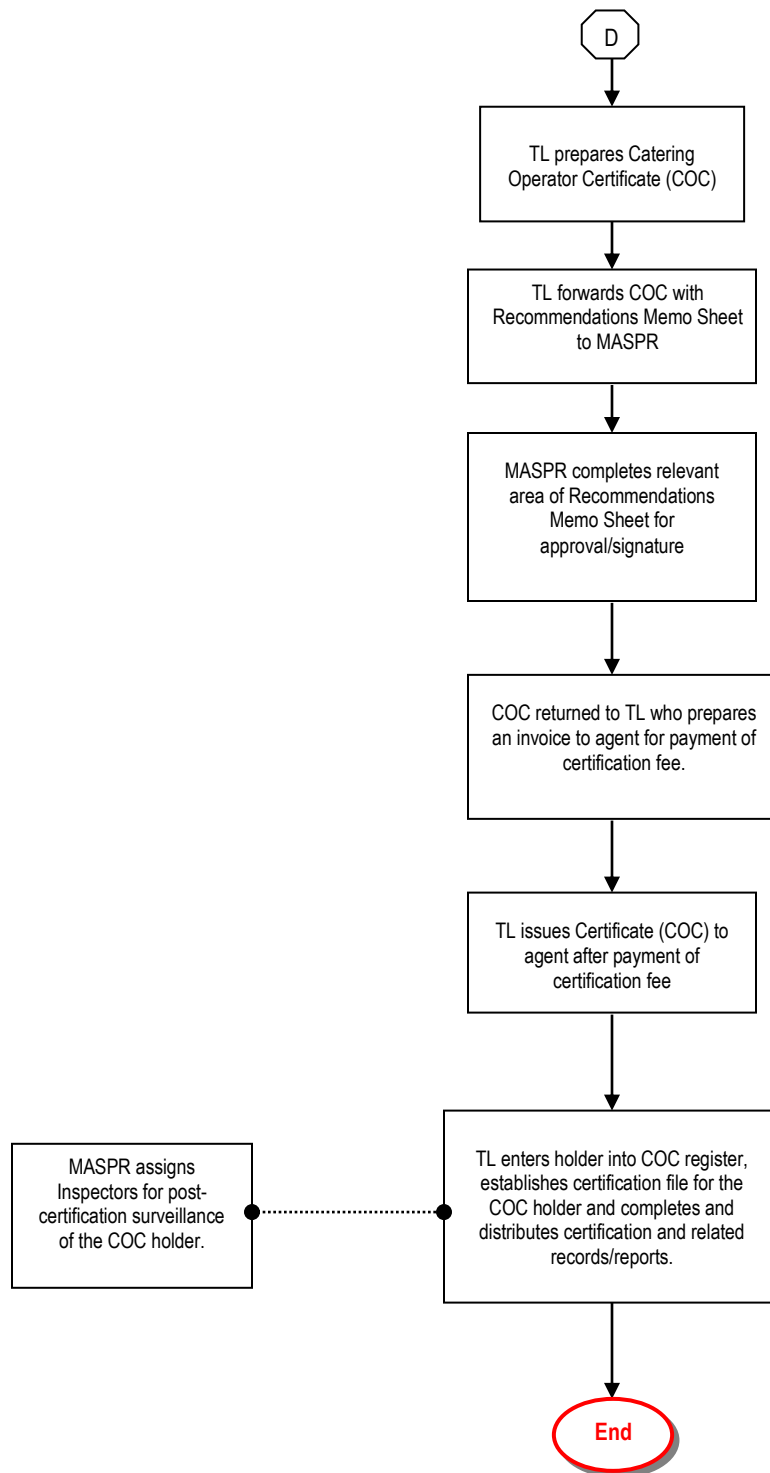
3. DOCUMENT EVALUATION PHASE



4. DEMONSTRATION AND INSPECTION PHASE



5. CERTIFICATION PHASE



(See next page for list of acronyms and abbreviation used)

List of Abbreviations and Acronyms Used in the Process

AVSEC	Aviation Security
DASSR	Director, Aviation Safety & Security Regulation
KCAA	Kenya Civil Aviation Authority
KCASRs	Kenya Civil Aviation (Security) Regulations
MASPR	Manager, Aviation Security Policy and Regulation
PCOPS	Prospective Catering Operator Pre-Assessment Statement (<i>Form</i>)
COC	Catering Operator Certificate
COSP	Catering Operator Security Programme
SOPS	Standard Operating Procedures
TL	Team Leader (<i>of KCAA Certification team</i>)

Note: A catering operator may appeal any decision made by KCAA at any of the phases or submit fresh application.