

DEMOCRATIC REPUBLIC OF EAST TIMOR

GOVERNMENT

Decree Law 6/2006

**REGIMEN FOR ACCESS TO RESTRICT
AND RESERVED AREAS AT AIRPORTS**

The need to protect air transportation and aviation in general makes it indispensable to ensure and implement measures to safeguard individuals and assets against the practice of illicit intervention acts.

The following are key actions to achieve this objective:

- Establish correct identification and demarcation of the various restricted and reserved areas of each airport and air field;
- Ensure the implementation and maintenance of the physical partitions that will make this demarcation effective;
- Establish an appropriate system to control access to said areas;
- Adopt a set of objective and precise principles for the regimen of granting the right of access to those areas;

Thus, it will be necessary to establish the regimen for the physical ordainment appropriate to the exercise of an effective control in order to deny access by non authorized individuals and vehicles or the introduction of any article that, due to its nature, may be susceptible to being used for the practice of an illicit intervention act, or that may constitute another risk factor;

The object of this statute is to establish the definition, categorization, demarcation, separation, signage and protection of each one of the restricted and reserved areas into which each airport and aerodrome is operationally divided.

Under these terms, the Government orders the following, under the terms of the dispositions foreseen in item (e) of n. 1 of article 115 and item (d) of article 116 of the Constitution of the Republic, to be valid as regulation:

Article 1 Object

This statute establishes the principles and rules of access of people and vehicles to restricted and reserved areas in airports and air fields nationwide.

Article 2 Definitions

1. For the purpose of this statute, the following definitions will apply:

- a) “Restricted Areas” are areas in which access is restricted and controlled for security reasons by way of access cards;
- b) “Reserved Areas” are areas in which access is conditioned to authorization;
- c) “Air Side” is an entire area of the airport including the runways, the taxiways, the circulation routes and all buildings with access to those areas, limited by the control measures performed by public and administrative authorities of the migration or customs services;
- d) “Land Side” are the airport areas to which free access by the public is allowed, limited by the control of public and administrative authorities of the migration or customs services.

Article 3 General Classification Principles

1. The establishment of restricted and reserved areas in the physical and operational ordainment of airports or air fields has the purpose of facilitating the role of mechanisms to control access by people and vehicles to said areas and also to provide the necessary conditions for optimum processing of the set of activities inherent to it.
2. Restricted areas must incorporate the entire *Air Side* as well as all the zones or installations of *Land Side* when their type of continuity and usage features call for the need or convenience of their classification in this category, due to practical unfeasibility of ensuring adequate access control between this area and any other restricted area.
3. In special situations, certain areas may enjoy special protection and the classification criteria foreseen in this statute may need to be adapted to local characteristics so as to ensure better efficacy of the access control system.
4. Each restricted or reserved area of airports must clearly defined, demarcated, protected and equipped with signs.

Article 4 Classification and Demarcation of Restricted and Reserved Areas

1. The following will be classified as Restricted Areas:

1. Area V - includes the VIP Room and Check-In Zone facilities;
2. Area A - includes the VIP Room, Check-In Zone, Parking Area, Cargo, Departure Lounge, Arrival Lounge and Domestic Terminal facilities;
3. Area T - includes Cargo, Domestic Terminal and Check-In facilities;
4. Area Z - includes Maintenance, Control Tower and "CHC" facilities;
5. Area O - includes the Parking Area;
6. Free Access Area - includes all areas and facilities within the airport perimeter.

2. The following will be classified as Reserved Areas:

Area H - includes the access area conditioned to the Check-In Zone.

Article 5 **Plan for Access Areas**

1. *Empresa Pública de Administração de Aeroportos e Navegação Aérea de Timor-Leste (ANTL E.P)* [Timor-Leste Airports and Air Navigation Public Administration], jointly with the local National Police Commander of Timor-Leste (PNTL), will be in charge of drafting a plan to define, demarcate, equip with signs and protect the restricted and reserved areas of each airport, to be submitted to the President of the Timor-Leste Civil Aviation Authority (AACTL) for approval and final confirmation.
2. The Access Areas Plan stated in the previous number must include the following:
 - a) A descriptive brief with all criteria used in its drafting;
 - b) Two copies of the airport blueprint with identification of each one of the areas under consideration, as well as all respective authorized access points, including emergency exits;
 - c) All elements of information relative to the type of usage foreseen for each authorized passageway, in accordance with what is foreseen in the airport blueprints referred to in the previous item.
3. In situations when the approved plan cannot be applied temporarily, ANATL E.P. must submit the alteration proposals to the President of the Civil Aviation Authority for approval.
4. All requests for temporary alteration of the plan must be accompanied with written material identifying each one of the situations to be altered, as well as all alternative solutions, measures or procedures to be implemented in substitution of previously approved ones, clearly showing the period of time for which the exception regimen is being requested.
5. All alterations to the approved plan which are of a permanent nature will be the object of a procedure identical to the one established for the initial request.
6. ANATL E.P. may establish reserved areas as additional security measures, either permanently or temporarily, after consultation with the security authorities directly involved in this decision.
7. The physical ordainment plan for each airport, once approved, must be included in the respective security program, as well as in the Airport Emergency Plan and the Airport Operations Service Manual.

Article 6
Conditions for Access to Restricted and Reserved Areas

1. The system for access to restricted and reserved areas in airports is based on the granting, issuance and control of access cards, in conformity with the criteria established in this statute.
2. Permanent access to restricted and reserved areas is only allowed to persons and vehicles who perform their regular activities in those spaces and during the time when they are actually performing them.
3. Access to the restricted and reserved areas is granted by attributing an access card of three types - Permanent, Temporary or Occasional Authorization - according to the circumstances.
4. All access cards must be displayed in a clearly visible way by their holders whenever they are circulating or stationed in restricted or reserved areas.

Article 7
Competency for Issuing Access Cards

1. ANATL E.P. is responsible for issuing, renewing and cancelling access cards.
2. The competency referred to in the previous number belongs to the Airport Director by way of signature and validation of the card, to ensure its authenticity.

Article 8
Card Types

1. The following access card types are hereby established:
 - a) Permanent Access Cards - cards granted for permanent use;
 - b) Temporary Access Cards - cards granted for temporary use;
 - c) Occasional Authorization Cards - cards granted occasionally, to meet specific needs.
2. Access cards must identify its holders unmistakably, with inscription of the name and respective employer, except in exceptional conditions explicitly foreseen in this statute.
3. Cards must be printed in a complete and legible way and cannot contain erasures or any other alterations.
4. Permanent and Temporary cards must be laminated or covered with plastic material and include the following items:
 - a) Recent photo of the cardholder;
 - b) Serial number, associated or not associated to another reference code;
 - c) Date of issue and signature of the Airport Director;
 - d) Date of expiration.
5. The photographs must display the entire face and show in a clearly visible way the particular features of the person. If the person makes regular use of eyeglasses, the photograph must include eyeglasses.

6. Occasional Authorization Cards will be identical to the ones stated in n. 4, with no need for the photograph.
7. To improve the control of persons entering and staying in restricted and reserved areas of airports, the law establishes a direct relationship between these areas and the location or locations where cardholders perform their professional duties by adopting the following color code for the permanent access cards, as background for the photograph or in an adjacent bar:
 - a) Green color - all areas;
 - b) Red color - Area A;
 - c) Yellow color - Area T;
 - d) Blue color - Area V;
 - e) Orange color - Area Z;
 - f) Chestnut color - Area O;
 - g) White color - Area H.
8. Access cards may also display other features aiming at improving the conditions for identification of the cardholder or specification of access areas, when this does not imply in any inconvenience for the global management of the access regimen.

Article 9 Validity and Issuance of Cards

1. Access cards must state their expiration date in a very visible way.
2. The validity of access cards cannot exceed the duration of the employment contract of its holders or the reason claimed for issuing the cards.
3. With no detriment of the provision in the previous number, the validity of the cards cannot exceed three years for Permanent Access cards and one year for Temporary Access cards.
4. The Airport Operations Service of ANATL E.P. is the center responsible for issuing all access cards and for the safeguarding, conservation and updating of all respective files.
5. Permanent cards will only be issued in situations when an actual employment contract exists and is documented between the employer company or entity and the employee to whom the right of access is requested, and the need for the requested access must be explained in writing.
6. The issuing center must forward the lists of issued cards to the Civil Aviation Director and to the National Police Commander.
7. The costs for issuing the cards will be established by the President of ANATL E.P. in an official communication.

Article 10 Provisions for Card Usage

1. Access cards are the property of ANATL E.P. and the requesting entity must return them whenever the carrier ceases to enjoy his granted rights, as follows:

- a) Termination of the contract with the employer entity;
 - b) Transfer of the card carrier to another location outside the access areas of the airport;
 - c) Practice of any acts that, due to their nature, violate the conditions required for granting the access card.
2. Any misplacement or theft of access cards must be immediately communicated and confirmed in writing by the carrier to the entity that requested issuance and to the ANATL E.P. airport operations service as issuing center.
 3. PNTL will take the necessary measures to prevent unauthorized use of the cards, namely by communicating the theft or misplacement to the administrative authorities and applicable public services.
 4. PNTL will create effective control mechanisms for cards used to access controlled areas of airports.

Article 11
Criteria for Attributing Permanent Access Cards

1. The following individuals will be entitled to Permanent Access, Free Access type, green color, cards:
 - a) The President and voting members of the Board of Directors of the Civil Aviation Authority;
 - b) National Director, Deputy National Director, Inspector-General and Director of the PNTL Operations Department;
 - c) National Director and Sub Director of Migration Services;
 - d) Director General and Sub Director of Customs Services;
 - e) Civil Aviation International Advisors.
2. The following will also be entitled to Permanent Access, Free Access type, green color, cards:
 - a) The President and voting members of the Board of Directors of ANATL E.P.;
 - b) ANATL E.P. Airport Director;
 - c) Security Advisor of the airport or equivalent;
 - d) ANATL E.P. Airport Services Chief;
 - e) PNTL local Commander;
 - f) Members of the airport commission for facilitation and security, designated as "FAL/SEC" commission;
 - g) AACTL employees while conducting inspection duties;
 - h) Migration and Customs service employees providing services at airports;
 - i) PNTL individuals providing services at airports;
 - j) Representatives and scheduling managers of airlines operating at the airports;
 - k) Personnel of Civil Protection and Firefighting Services headquartered at airports;
 - l) Employees of ANATL E.P. Airport Operations Services.
3. The requests for granting Permanent Access cards will be forwarded to the Airport Director, duly accompanied by recipient identification information and including the reasons why the cards are needed.

4. Every request must be delivered accompanied by its own printed form, dully filled out.

Article 12
Criteria for Attributing Temporary Access Cards

1. Temporary Access Cards, of short duration, are supposed to be used in reserved and restricted areas of one and the same airport and are issued to persons performing activities of a temporary nature.
2. The granting of this type of card will follow the same criteria and procedures established in the previous article and all requests must be directed to the Airport Director.
3. Temporary cards can be renewed with a duly justified request.

Article 13
Criteria for Attribution of Occasional Authorization Cards

1. Occasional Authorization Cards for access to reserved and restricted areas will be granted in situations when there are justified reasons or occasional short duration cases.
2. Requests for Occasional Authorization cards must be forwarded to the Director of the appropriate airport.
3. This type of card does not need the photograph of the cardholder, but it must contain all other identification elements required for the other types of cards under the terms of article 8.
4. Occasional Authorization cards granting access to the departure lounge, arrival lounge and parking area must have the inscription "With Escort Only".
5. The users of Occasional Authorization cards with the inscription "With Escort Only" must be accompanied by a carrier of permanent access card whenever they are in said areas.
6. One permanent access card holder can only escort up to six people under these conditions.

Article 14
Air Transportation Company Crews

1. Air transportation company crews have authorized access to restricted and reserved areas of all domestic airports while performing their duties and when dressed in uniform and displaying their crew certificates or their respective airline cards.
2. When performing their duties, crew members will have to prove their crew status whenever required for the purposes of security and immigration control.
3. Said proof will be obtained by comparing the identification elements of each crew member with the information included in the message sent before each flight by the operations service of the respective airline or by its official representative to the Airport Operations Service of ANATL E.P.
4. All messages mentioned in the previous number will be at the disposal of the entities involved in said control and inspection, whenever they deem necessary to access this information.

5. All messages must indicate the composition of each crew team and identification of each individual and must be updated whenever any alteration is made to the crew member list.
6. The type and model of the crew cards for domestic airlines must contain the following basic information:
 - a) Name of cardholder;
 - b) Color photograph;
 - c) "CREW" inscription very visible, positioned diagonally in the card and in red color;
 - d) Expiration date;
 - e) Name of the issuing airline;
 - f) Airline authentication;
 - g) Minimum size of 85mm x 54mm.
7. This type of card lacks authentication by the issuing airline and the respective expiration cannot exceed the term of the contract between the respective cardholder and the company.
8. In cases when the air operator has no operations service or official representative or, still, in the case of aircraft used in general aviation, domestic airports must ensure, by way of the respective airport operations service, the registration of all the information necessary for identification and prompt location of the persons responsible for any of their aircraft, namely, the persons with the right of access to them.

Article 15 Exception Regimen

The access regimen foreseen in this statute does not preclude the power of police authorities to access any restricted or served areas in domestic airports, provided that they are performing their duties in legal terms and strictly abiding by all security procedures and standards in effect at airports.

Article 16 Special Regimen

With no detriment of the provisions of this statute, whenever the circumstances justify it, members of Timor-Leste sovereignty agencies can receive cards granting them access to restricted or reserved areas in domestic airports, provided that they are performing their duties under legal terms and in conformity with all security standards in effect at airports.

Article 17 Control and Inspection

The responsibility for control and inspection of the access to restricted and reserved areas is up to the PNTL authority agents performing duties at domestic airports and air fields.

Article 18
Transitory Regimen

Previously issued access cards for restricted and reserved areas in domestic airports must be collected and replaced in accordance with the provisions in this statute within 90 days counting from the date when this statute becomes in effect.

Article 19
Revocation Standard

Any laws or regulations concerning the domain governed by this statute and received according to the internal judicial order under the terms of article 165 of the Constitution are hereby revoked.

Article 20
Effective Date

This statute will be in effect on the day following its publication.

Approved by the Council of Ministers on November 10, 2005

The Prime Minister

(signature)
(Mari Bim Amude Alkatiri)

The Minister of the Plan and Finances

(signature)
(Maria Madalena Brites Boavida)

The Minister of Transportation and Communications

(signature)
(Ovídio de Jesus Amaral)

Enacted on February 3, 06.

Released for publication.

The President of the Republic

(signature)
(Kay Rala Xanana Gusmão)