

**Rural and Regional Affairs and Transport Legislation Committee**

**ANSWERS TO QUESTIONS ON NOTICE**

Budget Estimates May 2010

**Infrastructure and Transport**

**Question No.:** OTS 01

**Division/Agency:** Office of Transport Security

**Topic:** Differences between Aviation Security Identification Cards (ASICs) and Maritime Security Identification Cards (MSICs)

**Hansard Page/s:** 91 (27/05/10)

**Senator Macdonald asked:**

**Senator IAN MACDONALD**—Perhaps on notice would you let me know whether there is any merit in trying to have those cards apply equally to wherever they are used?

**Mr Mrdak**—Certainly, we will get you some advice on that.

**Answer:**

The ASIC and MSIC schemes have been developed in the context of very different security risk and operational environments.

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**Infrastructure and Transport**

**Question No.:** OTS 02

**Division/Agency:** Office of Transport Security

**Topic:** QantasLink Dash 8 Q400

**Hansard Page/s:** 103-104 (27/05/10)

**Senator Back asked:**

**Senator BACK**—Which airports then does the QantasLink Dash 8 400 series serve? In other words, which airports would be the subject now of passenger and baggage screening under the guideline that we are referring to?

**Mr Wilson**—There is a situation whereby a number of airports—I believe in the order of 19—are currently serviced by the Q400 and are not subject to screening requirements. That number may or may not change between now and 1 July 2012, of course, depending on the operational arrangements that the airlines put in place. I do not have with me a precise list of the names of the airports.

**Senator BACK**—Could you take that on notice, and could you pick up Blackwater, Barcaldine and Blackall in that report back to us. There seems to be some confusion as to whether those three airports do or do not operate with the Dash 8 400 series aircraft, so if you could pick that up in your response, I would be appreciative.

**Mr Wilson**—I will. We will provide you a list of the airports that currently would require screening, given the services that are in operation today.

**Answer:**

As at 24 June 2010, Qantas Airways Ltd have advised that;

**UNSCREENED AIRPORTS CURRENTLY OPERATING BOMBARDIER DASH 8 Q400 AIRCRAFT ARE:**

1. BUNDABERG
2. DEVONPORT
3. EMERALD
4. GLADSTONE
5. LONGREACH
6. PORT LINCOLN
7. TAMWORTH
8. WAGGA WAGGA
9. WEIPA

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**Infrastructure and Transport**

**Question No.:** OTS 03

**Division/Agency:** Office of Transport Security

**Topic:** Security Checks at Airports

**Hansard Page/s:** 105 (27/05/10)

**Senator Back asked:**

**Senator BACK**—On notice, would it be possible to have some understanding of the numbers of passengers per annum at each of the 19 airports identified so that we could get some indicator of what the predicted additional cost to a ticket would be for an aircraft operator operating into and out of those airports?

**Mr Mrdak**—We can certainly provide you, from our ABS data, with details of current passengers through a number of these airports, but that of itself would not enable us to determine what the cost is. As Mr Retter has indicated, the cost will vary depending on the equipment that is purchased, how much fit-out is required, and the way in which the screening authority—either the airport or the airline—chooses to operate the screening. There are a number of variables here which would make it very difficult. The analysis we have done, as Mr Retter has outlined, gives, we think, some assurance that we will minimise any cost to regional airports.

**Answer:**

Passenger movements at unscreened airports which currently receive Dash 8 Q400 services (1 July 2008 to 30 June 2009).

(Source Bureau of Infrastructure, Transport and Regional Economics)

Airport	Passenger Movements
Bundaberg	114,715
Devonport	114,514
Emerald	119,832
Gladstone	192,878
Longreach	28,643
Port Lincoln	148,435
Tamworth	116,669
Wagga Wagga	209,279
Weipa	59,992

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**Question No.:** OTS 04

**Division/Agency:** Office of Transport Security

**Topic:** Maritime Security Identification Card (MSIC) Statistics

**Hansard Page/s:** 114 (27/05/10)

**Senator Macdonald asked:**

**Senator IAN MACDONALD**—How many of those cards have been issued in the current financial year? Do you have the breakdown by month of approval?

**Mr Dreezer**—No. I would have to take that on notice.

**Senator IAN MACDONALD**—Can you give me the global figure—how many this financial year so far?

**Mr Dreezer**—If you could just give me a second, I will check my notes.

**Senator IAN MACDONALD**—Yes.

**Mr Dreezer**—I do not have the figures for this financial year, but there have been 28,571 applications completed by AusCheck since 1 October 2008.

**Senator IAN MACDONALD**—1 October 2008?

**Mr Dreezer**—Sorry, I do have the figure. 14,743 of those applications were completed in this financial year, between 1 July 2009 and 30 April 2010.

**Senator IAN MACDONALD**—On notice, can you give me the breakdown by month of approval, please?

**Mr Dreezer**—Yes, we can do that.

**Senator IAN MACDONALD**—Can you also give me a breakdown by year of how many applicants have appealed their decision to the secretary of the department in the current financial year and how many of those appeals have been successful?

**Mr Wilson**—We will take that on notice.

**Answer:**

The following is a breakdown, by month, of MSIC applications that have been processed by AusCheck between 1 July 2009 and 30 April 2010;

➤ July	1362
➤ August	1307
➤ September	1723
➤ October	1504
➤ November	1589
➤ December	1260
➤ January	1252
➤ February	1477
➤ March	1692
➤ April	1568

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In the current financial year 37 applicants have lodged an appeal with the Secretary of the Department. Of these, 30 applicants received authorisation to be issued with an MSIC subject to a condition, one applicant had the request refused, two applicants withdrew or cancelled their application and four cases are pending.

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**Question No.:** OTS 05

**Division/Agency:** Office of Transport Security

**Topic:** Detection capabilities of body scanners

**Hansard Page/s:** 118 (27/05/10)

**Senator Back asked:**

**Senator BACK**—That is a relief to know. Do binary explosives get picked up by this system?

**Ms Spencer**—Different systems can pick up different components. I would have to check that with my technical people, if you do not mind, so I will take that on notice.

**Answer:**

Body scanners are able to detect a range of prohibited items, including explosives, concealed on a person.

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**Question No.:** OTS 06

**Division/Agency:** Office of Transport Security

**Topic:** Overnight Security Measures at Regional Airports

**Hansard Page/s:** Written Question

**Senator Xenophon asked:**

What security measures are in place overnight at regional airports, with specific regard to the securing of planes?

**Answer:**

The *Aviation Transport Security Act 2004* and the *Aviation Transport Security Regulations 2005* require operators of security controlled airports to have a Transport Security Plan (TSP) in place. The airport operator's TSP will contain details of the security measures and procedures in place at the airport, including security measures and procedures to be applied to unattended aircraft. That includes aircraft parked at the airport overnight.

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**Infrastructure and Transport**

**Question No.:** OTS 07

**Division/Agency:** Office of Transport Security

**Topic:** Overnight Security Measures at Regional Airports

**Hansard Page/s:** Written Question

**Senator Xenophon asked:**

Does the Office of Transport Security acknowledge that, given regional airports have little to no security at night, it is possible a package could easily be snuck onto a plane or, worse, a plane stolen and flown by a potential terrorist?

**Answer:**

The Office of Transport Security's (OTS') role is to administer the *Aviation Transport Security Act 2004* (the Act) and the *Aviation Transport Security Regulations 2005* (the Regulations). The legislation contains measures to protect powered aircraft from being flown by unauthorised persons and requires pre-flight interior and exterior inspections of regular public transport aircraft. OTS undertakes a range of compliance activities to ensure industry compliance with the Act and Regulations, including auditing and compliance of all industry participants' security measures described in their Transport Security Programs.



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**Question No.:** OTS 08

**Division/Agency:** Office of Transport Security

**Topic:** Departmental Measures to address overnight security measures at regional airports

**Hansard Page/s:** Written Question

**Senator Xenophon asked:**

What is the Office of Transport Security doing to address these concerns / possibilities?

**Answer:**

The Office of Transport Security's (OTS') role is to administer the *Aviation Transport Security Act 2004* (the Act) and the *Aviation Transport Security Regulations 2005* (the Regulations). The legislation contains measures to protect powered aircraft from being flown by unauthorised persons and requires pre-flight interior and exterior inspections of regular public transport aircraft. OTS undertakes a range of compliance activities to ensure industry compliance with the Act and Regulations, including auditing and compliance of all industry participants' security measures described in their Transport Security Programs.

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**Question No.:** OTS 09

**Division/Agency:** Office of Transport Security

**Topic:** Airport to Airport Last Minute Packages Security Checking Procedures

**Hansard Page/s:** Written Question

**Senator Xenophon asked:**

What current security checking is done of packages loaded at the last minute for airport-to-airport deliveries?

**Answer:**

Air cargo is subject to security clearance in accordance with the Aviation Transport Security Act and the Aviation Transport Security Regulations.

Regulated Air Cargo Agents have a legislative obligation to apply security measures to air cargo in accordance with requirements specified in their Transport Security Program that is approved by the Department of Infrastructure and Transport.

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**Question No.:** OTS 10

**Division/Agency:** Office of Transport Security

**Topic:** Departmental Measures to address impersonates at airports

**Hansard Page/s:** Written Question

**Senator Xenophon asked:**

Does the Office of Transport Security acknowledge that it is possible for someone to impersonate an engineer with a high-level security pass, and therefore what is the Office of Transport Security doing to address these concerns / possibilities?

**Answer:**

All Aviation Security Identification Cards (ASICs) incorporate a tamper proof feature to provide a level of mitigation against counterfeiting.

Additionally, as a part of the audit and compliance regime, Transport Security Inspectors from the Office of Transport Security conduct random ASIC checks when visiting airports.

Access control relating to the movement of all persons entering airside and landside security zones is the responsibility of the airport operator.

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**Question No.:** OTS 11

**Division/Agency:** Office of Transport Security

**Topic:** Maritime Security Identification Card (MSIC) Changes

**Hansard Page/s:** Written Question

**Senator Nash asked:**

- 1) What are the additional offences that will preclude the grant of an MSIC under the changes announced in January 2010?
- 2) What industry consultation was undertaken with industry stakeholders?
- 3) What procedures are in place for the current 12,000 holders of an MSIC to be reassessed?
- 4) Will this reassessment occur immediately or only when their current MSIC expires?
- 5) How many MSICs have been issued in the 2009-2010 financial year?
  - a. Please break down by month of approval
- 6) Can you give a breakdown by year of how many applicants have appealed their decision to the Secretary of the Department in the 2009-2010 financial years?
- 7) Can you give a breakdown by year of how many applicants have successfully appealed their decision to the Secretary of the Department in the 2009-2010 financial years?
- 8) What appeal mechanisms will be incorporated into the new arrangements?

**Answer:**

- 1) The new offences covered under changes to the MSIC regime announced in January 2010 are:
  - piracy;
  - assassination, murder, attempted murder and manslaughter;
  - a range of aggravated assault offences, whether or not the assault results in injury;
  - kidnapping and hostage taking offences;
  - incitement to racial hatred and incitement to vilification;
  - affray or riot;
  - arson offences;
  - weapons, firearms and explosives offences not already covered under the regulations;
  - bribery, corruption and graft offences;
  - extortion, racketeering and blackmail offences;
  - false testimony, perjury or subverting the course of justice;
  - a range of forgery and fraud offences not already covered by the regulations;
  - identity fraud offences including passport and visa offences;
  - a number of drug trafficking offences not already covered under the regulations;
  - a range of conspiracy offences; and
  - hoax/threat offences not already covered under the regulations.

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- 2) Extensive industry consultation has been undertaken involving key stakeholders such as MSIC issuing bodies, port operators, port facility operators, unions and industry representative groups.
- 3) All MSIC holders will be reassessed upon expiry of their current MSICs. When reapplying for an MSIC, applicants will be assessed under the new eligibility criteria.
- 4) As per 3).
- 5) The following is a breakdown, by month, of the 14,734 MSIC applications that have been processed by AusCheck between 1 July 2009 and 30 April 2010;

➤ July	1362
➤ August	1307
➤ September	1723
➤ October	1504
➤ November	1589
➤ December	1260
➤ January	1252
➤ February	1477
➤ March	1692
➤ April	1568

- 6) As at 19 June 2010, 39 applicants have lodged an appeal with the Secretary of the Department in the current financial year.
- 7) As of 19 June 2010, 30 applicants received authorisation to be issued with an MSIC subject to a condition, one applicant had the request refused, two applicants withdrew or cancelled their application and six cases are pending.
- 8) Existing appeal mechanisms will carry over into the new arrangements. There are two appeal options in accordance with the Regulations, and if an applicant is unsuccessful under these arrangements, they have the right to appeal directly to the Administrative Appeals Tribunal.

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**Question No.:** OTS 12

**Division/Agency:** Office of Transport Security

**Topic:** Overnight Security Measures at Regional Airports

**Hansard Page/s:** Written Question

**Senator Back asked:**

Impact of security measures on regional aviation – costs passed onto passengers

- 1) In terms of infrastructure where does aviation rate in comparison with roads, rail, ports etc?
- 2) How is funding allocated to the upgrading of security arrangements at regional airports?
- 3) Is this one-off capital funding?
- 4) Was how airports / airlines were going to fund ongoing expenses related to this measure been considered?
- 5) Does it anticipate increased costs being passed onto passengers?

**Answer:**

- 1) It is unclear what information is being requested.
- 2) Eligible airports will be invited to apply for funding assistance. Program guidelines will be issued by the Minister setting out arrangements for seeking funding assistance.
- 3) Yes

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**Question No.:** OTS 13

**Division/Agency:** Office of Transport Security

**Topic:** Security arrangements to aircraft cockpit doors

**Hansard Page/s:** Written Question

**Senator Back asked:**

Secure cockpit doors will be required to be fitted to aircraft

- 1) The changes to security arrangements in aircraft relating to cockpit doors, what are the compliance criteria for this measure?
- 2) Which classes of aircraft does it apply?
- 3) Had a risk analysis been carried out on this proposal?
- 4) Was consultation carried out with representatives from all sectors of the aviation industry?
- 5) What feedback from received from small aircraft owners / aviation carriers?
- 6) Was this taken into consideration?
- 7) Were you aware that the weight limitations would result in smaller aircraft needed to remove revenue generating seats to accommodate this?
- 8) Had you anticipated that this would have to be passed onto the passengers?

**Answer:**

- 1) Hardened cockpit doors will be required for prescribed aircraft with a maximum takeoff weight greater than 10,750 kilograms and more than 30 seats.
- 2) Prescribed aircraft with a maximum takeoff weight greater than 10,750 kilograms and more than 30 seats.
- 3) Yes
- 4) Yes
- 5) The public and interested aviation industry stakeholders were invited to provide written submissions on the Towards a National Aviation Policy Statement Issues Paper and National Aviation Policy Statement – Green Paper. Public submissions to the Issues Paper and the Green Paper are available on the Departmental website:
  - a. [http://www.infrastructure.gov.au/aviation/nap/issues\\_paper.aspx](http://www.infrastructure.gov.au/aviation/nap/issues_paper.aspx)
  - b. [http://www.infrastructure.gov.au/aviation/nap/green\\_paper.aspx](http://www.infrastructure.gov.au/aviation/nap/green_paper.aspx)
- 6) The Government considered all submissions to the Issues paper and the Green Paper.
- 7) The new requirements do not impose any new requirements on aircraft operators of regular public transport and open charter services as current regulations require aircraft with a seating capacity 30 or more to have hardened cockpit doors on aircraft.
- 8) That is a matter for airports and airlines.