



Part 111

Air Cargo Agent and Air Freight Forwarders

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Subpart A General

111.1 Applicability.

This part prescribes the requirements for certification, and operation of Air Cargo Agents and Air Freight Forwarders.

111.3 Methods and procedures for compliance.

It is a pre-request to have (MOCA) permit to apply for grant Egyptian Civil Aviation Authority (ECAA) certificate.

Certificate holders must comply with requirements prescribed by this part in a manner authorized by the ECAA.

Egyptian Advisory Circulars No. 111-01 contains methods and procedures for compliance with this part that are acceptable to the ECAA.

111.5 Definitions:

For the purpose of this part

Air Cargo Agent: means one using its own name for the account of others, in performing a service for reward by getting a civil air transport enterprise to ship air freight and international trade and commercial documents of non-communicative nature. Air Cargo Agent shall be governed by the provisions of this Regulation, aside from those prescribed in other Egyptian laws; and The Air Cargo Agent organization authorized by an airline to receive shipments, execute Air Waybills and collect charges.

Cargo: means any property, other than airline stores or accompanied baggage or hand baggage, carried on an aircraft from or to **ARE** to domestic and international destinations."

IATA cargo agent: IATA cargo agent is one that is recognized by IATA as having met its requirements for an IATA registered cargo agent and have been so engaged for a period of at least six months prior to the date of application for registration as an IATA Member.

TACT: TACT stands for The Air Cargo Tariff. It is published by IAP -- International Airlines Publications, an IATA company.

Transportation or transport means the movement of property and loading, unloading, or storage incidental to that movement.

Air Waybill means the document entitled "Air Waybill" made out by or on behalf of the shipper which evidences the contract between the shipper and Carrier for carriage of cargo over routes of Carrier.

Note 1: An Air Waybill (AWB) is a contract between the shipper and airline that states the terms and conditions of transportation. There are two types of air waybills used for the international transportation of air cargo: The "airline air waybill", with preprinted issuing carrier identification, "neutral air waybill" without preprinted identification of the issuing Carrier form and used by other bodies than air carriers.

Note 2: upon ratification of Montreal Protocol No, 4 to Warsaw Convention, the term Air Waybill Shall , where the context so requires, also mean the shipment record referred to in certain Cargo Services Conferences Resolutions.

Operator: Means a person, organization or enterprise engaged in or offering to engage in an aircraft operation.

Carriers :see Operator.

Freight Forwarder: Means a person or organization which performs services designed to assure and facilitate the transport of goods (such as receiving, trans-shipping or delivering).

Consignment: One or more packages of dangerous goods accepted by an operator from one shipper at one time and at one address, receipted for in one lot and moving to one consignee at one destination address.

Consolidation: A consignment of multi-packages which has been originated by more than one person each of whom has made an agreement for carriage by air with another person other than a scheduled air carrier. Conditions applied to that agreement may or may not be the same as conditions applied by the scheduled air carrier for the same carriage.

Consignee: Any person, organization or government which is entitled to take delivery of a consignment.

Note: The name and address of the consignee which appears on the Shipper's Declaration for Dangerous Goods form may differ from that on the Air Waybill.

An enclosure used by a single shipper to contain one or more packages and to form one handling unit for convenience of handling and stowage. Dangerous goods packages contained in the over pack must be properly packed, marked, labeled and in proper condition as required by these Regulations.

Over pack: For cooling purposes, an over pack may contain Carbon dioxide, solid (dry ice), provided that the over pack meets the requirements of Packing Instruction 904. (A Unit Load Device is not included in this definition.) Note: Shrink-wrap or banding may be considered an over pack.

Dangerous Goods: Dangerous goods are Sections or substances which are capable of posing a risk to health, safety, property or the environment and which are shown in the list of dangerous goods in these Regulations or which are classified according to these Regulations.

ID number: temporary identification number (ID) in the 8000 series assigned to a Section or substance for which no UN number has been assigned. (The prefix "ID" must always be used in conjunction with these numbers.)

Packing: The art and operation by which Sections or substances are enveloped in wrappings and/or enclosed in packaging or otherwise secured.

Subpart B **Facility Requirements and Personnel Qualifications**

111.7 Office Requirements:

- (a) The applicant must maintain and operate at least one office (or a department of such an office) actively and principally engaged in the promotion of international air cargo transportation over the lines of Air carriers and the handling of consignments therein; and
- (b) The facilities and equipment at the principal business office must be adequate to maintain the files and records required to operate the business of the air cargo agent.
- (c) The principal business office may not be shared with, or used by, another cargo agent; and
- (d) Before Changing of Ownership and Changing Address, each certificate holder must notify the ECAA and the notice must be:
 - (1) Submitted in writing at least 30 days before the change of location; and
 - (2) Accompanied by any amendments needed for the certificate;

111.9 Staff Requirement

- (a) Each air cargo certificate holder shall maintain sufficient qualified personnel to comply with the requirements of Air Cargo Agent certification and the applicable rules of this part.
 - (1) The staff shall consist of at least two full-time competent persons qualified to provide the services and handling functions described in 111.11 of this Subpart and the applicant must provide evidence that;
 - (2) Two such persons hold the IATA/FIATA Introductory Course Diploma or have completed an equivalent course offered by an IATA Air carriers, or any other course acceptable to the ECAA offered by an airline or an ECAA approved commercial organization, and/or ECAA approved training institute;
 - (3) Two such persons at the time of application and at all times subsequent to registration, hold a valid certificate, issued within the previous two years, attesting to the bearer's having followed a recognized training course in Dangerous Goods Handling and passed a written examination based on that course;
- (b) Failure to renew the certificate of Dangerous Goods course of training by a date specified by the ECAA, with the result that the Agent no longer fulfils the conditions of this Subparagraph, shall be grounds for the ECAA to review of the Agent by the ECAA' inspectors.
- (c) Air Cargo Agent shall send personnel to receive relevant training by an approved ECAA training facility or by a related association commissioned by ECAA.

111.11 Processing and Handling

- (a) The applicant must offer the public the premises, qualified staff and equipment necessary for the performance of the following functions as a minimum:
- (b) Quoting carriers' rates, charges and conditions pertaining to such rates and charges and dangerous goods regulation (IATA TACT Rules & IATA Dangerous goods regulations).
- (c) Assisting customers in completing the required formalities for the transportation of cargo by air, including reservation services,
- (d) Delivering (or arranging for delivery of) consignments to an Air carriers at any Airport designated by the Air carriers for general acceptance of all consignments ready for carriage,
- (e) Accepting for carriage and delivering (or arranging for delivery) to an Air carriers Dangerous Goods in accordance with the applicable Dangerous Goods regulations,
- (f) Collecting charges from customers, and remitting monies due to carriers;
- (g) Adhering to security control measures as prescribed by the Aviation Security Sector, and supplemented from time to time by the ECAA. The AVSEC Administrator may, on his own initiative or at the request of ECAA conduct an examination of Agent(s), to determine that such security control measures prescribed by the ECAA are applied.

Subpart C
Certification**111.13 Certificate required.**

No person subject to this part may conduct Air Cargo Agent Operations within the ARE without, or in violation of the terms of, a cargo agent Operator certificate of approval issued by the ECAA under this part.

111.15 License to Trade

The applicant must be in possession of a valid licence to trade. Suspension or withdrawal of this licence shall constitute grounds for the ECAA to initiate a review of the Agent by the ECAA

111.17 Insurance

The applicant shall have adequate insurance to cover its liability for loss of or damage to shippers' cargo;

111.19 Duration of certificate.

Unless sooner surrendered, suspended, or revoked, the Air Cargo Agent Certificate expires at the end of the twelfth month after the month in which it is issued or renewed.

111.21 Display of certificate.

- (a) Each holder of an Air Cargo Agent Certificate must display that certificate in a place in the premises that is normally accessible to the public and is not obscured.
- (b) A certificate must be made available for inspection upon request by:
 - (1) The ECAA Inspector; or
 - (2) An authorized representative of ECAA.

111.23 ECAA Inspection Authority

- (a) Each person holds a certificate under this part (or applied for such certificate) shall grant unrestricted and unlimited access for ECAA inspectors to inspect his personnel, facilities, equipment, documents and records to determine:
 - (1) Eligibility to continue to hold his certificate.
 - (2) Compliance with this ECAR part
- (b) Failure to comply with paragraph (a) above shall be a basis to suspend, withdraw or revoke any certificate issued under this part.

111.25 Application for certificate issuance or renewal

A person applying to the ECAA for a cargo agent Certificate under this part (applicant) must submit an application:

- (a) Application for an original certificate or renewal of a certificate issued under this part is made on a form, and in a manner, prescribed by the ECAA. The completed application is submitted to the ECAA for MOCA permission, and
- (b) Containing any information the ECAA requires the applicant to submit.
- (c) Each applicant must submit the application to the ECAA at least 90 days before the date of intended operation; and 30 days in case renewal.

111.27 Air Cargo Agent Names

A company of air Cargo Agent shall not use names; both in Arabic and English, identical with or similar to those of civil air transport enterprise, other air freight forwarders or air Cargo Agent. A company specialized in this service shall attach to its company name the words airfreight forwarder; and

111.29 Other requirements

- (a) The place of business must not be identified as an office of an air carrier,
- (b) The applicant must have a satisfactory record for adherence to ethical business practices. This includes any of the applicant's managerial staff of its principal stockholders, directors or officers.
- (c) All material statements made in the Application shall be accurate, complete and not misleading.

Subpart D
Air Cargo Agent, Registration, Qualifications and Retention

111.31 Application for Approval:

To become an air Cargo Agent, one must enclose the following papers in duplicate in applying to ECAA for MOCA permeation

- (a) Application form.
- (b) Draft of company bylaw.
- (c) Prospectus: including utilization of capital fund, projected volume of freight, forecast of revenue and expenditure, personnel organization and other related matters.
 - (1) Household identification of the entire body of shareholders or sponsors.
 - (2) Section of incorporation / association / organization;
 - (3) License to trade and;
 - (4) Evident of courses completed by staff handling cargo operations (Cargo and Dangerous Goods Courses completed by agency staff)

111.33 Application for Amendment of Approval:

A Company already approved wishing to expand Air Cargo Agent service shall enclose the following papers in duplicate in applying to ECAA for MOCA permission:

- (a) Application form.
- (b) Photo copies of License to Trade and Business Registration.
- (c) Record of shareholders meeting or shareholders' letter of consent.
- (d) Draft of revised company bylaw.
- (f) Prospectus: inclusive of capital utilization, projected freight volume, forecast of revenue and expenditure, general status of personnel makeup and other related matters.
- (g) Roster of the entire body of shareholders.
- (h) Evident of courses completed by staff handling cargo operations (Cargo and Dangerous Goods Courses completed by agency staff)

111.35 Registration, renewal or replacement of permit:

- (a) Within 15 days from completion of registration, the air Cargo Agent shall report to ECAA for record its Arabic title, organization, responsible person, board of directors, supervisors, managers, amount of capital, change of address or establishment of Branch Company. With changes in the above said company title, organization, responsible person, amount of capital and address, a new air Cargo Agent permit must be applied for at the normal charge for a replacement permit.
- (b) In the event an air Cargo Agent permit is lost, perished or destroyed, a new permit or replacement permit must be applied for.
- (c) Closure of business or withdrawal of registration Air Cargo Agent after being issued a permit to run the service, shall upon closure of business or withdrawal of registration report to ECAA for MOCA's approval to revoke the permission and cancel the permit. Concerned agencies will be duly notified.
- (d) Failure to process for the above shall oblige ECAA to asking MOCA to execute the cancellation, with the controlling organization of the company duly notified.

Subpart E
Governance**111.41 Inspection of equipment and operations of an air Cargo Agency**

- (a) To meet the needs of air freight development, insure flight safety for public interest, ECAA may dispatch personnel to inspect the various equipment and operations of an air Cargo Agency, who must not refuse, evade or obstruct such inspections. If there is any deficiency, the air Cargo Agency shall be given a certain period of time to improve.
- (b) Any air Cargo Agency fails to improve within time limit, or refuses, avoids or hinders inspections will be suspended from operation by ECAA, subject to MOCA's approval. In more serious cases, permit shall be nullified.
- (c) ECAA is obligated to sending its agents for the inspection of various equipment and operations of air Cargo Agency. It may also commission, or work jointly with, a related association in conducting such inspection.

111.43 Statement of assets and debts

Air Cargo Agency shall, within six months of each yearend, submit to ECAA for record its statement of assets and debts, balance sheet, business income returns and statement of freightage import & export

111.45 Air Waybill

- (a) Air waybill or house waybill made out by an Air Cargo Agent shall carry in print the company name English, its address and the registered number of air Cargo Agent Permit. These bills shall be numbered consecutively and samples must be provided to ECAA for record. The same applies when there are changes.
- (b) Air Cargo Agent shall not let others borrow house waybills.

111.47 Retention of documents

Air Cargo Agent shall keep for a period of two years all the air waybills it has made out and all original data of accounts receivable.

111.49 Handling of Hazardous Sections:

Air Cargo Agent shall handle hazardous Sections in respect of their packaging, tagging, labeling, storing and carriage, in compliance with the provisions of the regulations for disposition of hazardous Sections compiled by International Air Transport Association (IATA).

111.51 Customs clearance:

Customs clearance must comply with rules of customs clearance for express goods, of the Ministry of Finance.

- (a) Be at least 18 years of age; be able to read, speak, write, and understand the English language. If the Subpart E Governance

Subpart F
Foreign air Cargo Agent

111.61

Foreign air Cargo Agent wishing to set up Branch Company in the ARE, shall enclose the following paper in duplicate in applying to ECAA for MOCA permission:

- (a) Application form.
- (b) Company bylaw.
- (c) Photocopy of certificate by the controlling authority in the country where company was registered.
- (d) Prospectus: inclusive of capital utilization, forecast of freightage, projected business revenue and expenditure, personnel composition and other related matters.

The above said papers should have been certified by Egyptian's embassy or consulate or its representative office abroad. If they are in a foreign language, English translation shall be enclosed.

111.63

Foreign air Cargo Agent having received permission to set up branch company, shall within the six-month preparatory period secure recognition from the controlling agency of the company, complete branch company registration and business registration. With photo copies of endorsement certificate, branch Licence to Trade and business registration, application shall be filed for MOCA approval via ECAA. Business gets started only after the issuance of air Cargo Agent permit by ECAA.

111.65

With the exception of those applying for setting up Branch Company, foreign air forwarder shall commission an Arab Republic of Egypt air Cargo Agent to handle its business.

111.67

Upon being commissioned by a foreign air freight forwarder, air Cargo Agent shall enclose the following papers in duplicate in applying to ECAA for approval:

- (a) Application form.
- (b) Letter of commission.
- (c) Photo copy of certificate from the controlling authority in the country where company was registered.
- (d) Samples of air waybills of the foreign company authorizing the commission.
- (e) Proof of authenticity of the stamp used by the local forwarder,

111.69

Aside from those prescribed in this subpart, are the provisions of item 111.11, item 111.29 and items 111.41 to 111.69 inclusive shall apply to foreign air freight forwarder.

Subpart G
Supplemental provisions

111.71 Permits issued prior to the promulgation of this Regulation

Air Cargo Agent that have been issued permits prior to the promulgation of this Regulation, shall within six-month preparatory period from the date this Regulation was promulgated, exchange their old permits for new ones and fill up the actual amount of capital on hand as prescribed in Section 111.37.