



Part 112

Cargo Service Provider

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Subpart A General

112.1. Applicability

This part prescribes the requirements for certification, and operation of cargo service provider.

112.3. Methods and procedures for compliance.

- (a) It is a pre-request to have (MOCA) permit to apply for grant Egyptian Civil Aviation Authority (ECAA) certificate.
- (b) Certificate holders must comply with requirements prescribed by this part as well as ECAR Part 110 in a manner authorized by the ECAA.
- (c) Egyptian Advisory Circulars No. 112-01 contains methods and procedures for compliance with this part that are acceptable to the ECAA.

112.5. Procedures for Issuing Approval and Initial Inspection

112.5.1. Review of the cargo service provider's application for a certification to facilitate cargo and warehouse

1. Cargo service provider must apply the application to Egyptian civil aviation authority, flight operation central administration, dangerous goods general directorate
2. The certification granted by Egyptian civil aviation authority, flight operation central administration, dangerous goods general directorate only after application is applied and the cargo service provider has demonstrated that procedures are in place to handle cargo including dangerous goods, that the Operations Manual or other staff instructions contain the required information and that training has been given to the appropriate staff according to EAC 112-1.
3. The supervision of the cargo service provider's application can be achieved by granting certification to facilitate cargo and warehouse.
4. The aims of granting to exercise control over cargo service provider, warehouse and to aid enforcement activities.
5. Certification for cargo service provider should be granted to the applicant by the President of ECAA. Operators should be abide by the ECAR 112 and EAC 112-1 when they seek permission from the Civil Aviation to handle cargo after go through the certification process five phases.
6. The authorization should be granted only once the operator has demonstrated that procedures are in place to handle cargo, the Operations Manual or other staff instructions contain the required information and that training has been given to the appropriate staff.

112.7. Definitions:

Cargo Service Provider

An entity as handling agent for one or more customer airlines, provided one or more of the services relating to cargo handling activities.

Cargo

Anything carried or to be carried in an aircraft except

- (a) Mail or other property carried under the terms of an international postal convention
- (b) Baggage carried under a passenger ticket and baggage check
- (c) Unaccompanied baggage moving under an AWB is cargo.

Air Waybill

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

Person, organization or enterprise engaged in or offering to engage in an aircraft operation.

Freight Forwarder

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

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

112.9 Facility 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 facility must be adequate to maintain the files and records required to operate the business of the air cargo service providers.
- (c) The principal business facility may not be shared with, or used by, another air cargo service provider; 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.

112.11 Staff Requirement

- (a) Each air cargo service provider certificate holder shall maintain sufficient qualified personnel to comply with the requirements of Cargo Service Provider certification and the applicable rules of EAC 112-1
- (b) Failure to renew the training certificate in due date, with the result that the Air Cargo Service Provider no longer fulfills the conditions of this Subparagraph, shall be grounds for the ECAA to review of the Air Cargo Service Provider by the ECAA' inspectors.

112.13 Processing and Handling

- (a) The applicant must offer the premises, qualified staff and equipment necessary for the performance of the following functions as a minimum.
- (b) Accepting for carriage and delivering (or arranging for delivery) on behalf of the Air carriers Dangerous Goods in accordance with the applicable Dangerous Goods regulations,
- (c) Adhering to security control measures as prescribed by ECAR Part 110, and amended from time to time by the ECAA. The ECAA may, conduct an examination of Agent(s), to determine that such security control measures prescribed by the ECAA are applied.

Subpart C Certification

112.15 Certificate required.

No person subject to this part may conduct Cargo Service Provider Operations within the ARE without, or in violation of the terms of a Cargo service provider certificate of approval issued by the ECAA under this part.

112.17 Authorities Approval

The applicant must be in possession of valid respective authorities' approvals for Air cargo handling activities . Suspension or withdrawal of those approvals shall constitute grounds for the ECAA to initiate a review of the Air Cargo Service Provider by the ECAA

112.19 Duration of certificate.

Unless sooner surrendered, suspended, or revoked, the Air Cargo Service Provider Certificate expires at the end of the twenty four months after the month in which it is issued or renewed.

112.21 Display of certificate.

- (a) Each holder of a Cargo Service Provider 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.

112.23 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.

112.25 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.

112.27 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.

112.29 Initial / Renewal of Certification for Egyptian Air Cargo Service Provider

The process for the initial issue and renewal of a certificate for accepting and transport of dangerous goods will follow this procedure in five phases.

The time between formal application and the decision of the Chairman whether to award a certification shall not exceed 90 days.

I. Phase One : Pre-Application Phase

Whenever an applicant expresses desire to be certified for cargo handling activities, accepting and transport of dangerous goods to ECAA a meeting between the DGGD and the accountable manager of the company will be arranged in order to explain the requirements for and the procedure to complete the certification process.

During this meeting a package of documents is handed to the company, containing:

- (a) A list of required documents to be provided by the applicant
 - (1) Requirements outlined at EAC 112-1
 - (2) Dangerous goods policy and procedures manual
 - (3) Dangerous goods training program
 - (4) IATA dangerous goods regulation last edition
- (b) Pre-application statement of intent
- (c) Formal application form
- (d) Statement of compliance
- (e) Application for approve dangerous goods training program
- (f) A person is appointed by the DGGD to be the leader and focal point of contact within the department for the certification process and any communication between the applicant and ECAA, The applicant will also nominate a person any communication from ECAA should be directed to.

II. Phase Two: Formal Application Phase

Formal application must be made by using. The Standard Formal Application letter provided with the Pre-Application package. The application together with all documents shall be directed to the appointed leader of the certification process in the General Directorate for Dangerous Goods.

Following documents shall be attached to the Pre-application Statement of Intent

- (a) Formal Application Form
- (b) Statement of Compliance
- (c) Application for approve dangerous goods training program
- (d) All Manuals mentioned
- (e) Copies of identification card and DG training certificates of DG trained employees named in the Formal Application Form,
- (f) Company training curriculum regarding awareness training for employees not dealing with DG.
- (g) Copies of contracts with contractors involved in the handling of Dangerous Goods, including copies of rental contracts for warehouses and storage areas, if applicable.
- (h) Copies of certificates of subcontractors dealing with DG if applicable with submission of the above mentioned documents the 90-day period starts to count.

III. Phase Three: Document Checking Phase

- (a) After formal application has been accepted, the DGGD will appoint a DG inspector to review the manuals and documents provided by the applicant for compliance with the ECARs and EACs by using. the applicant's statement of compliance.
- (b) The inspector will have to initial each line marked by the applicant and may use additional pages for comments.
- (c) If any of the manuals or documents is incomplete, deficient or if noncompliance with regulations is detected, a meeting with the applicant will be arranged in order to inform/explain to the applicant before the manual or document will be returned for corrective action.
- (d) If the manuals and documents are compliant with national regulations the inspector will make corresponding statement on the statement of compliance and return all manuals and documents to the leader of the certification process.

IV. Demonstration and Inspection Phase

- (a) After phase three has been completed successfully the process leader will coordinate the Inspection phase.
- (b) The purpose of this phase of the certification is to ascertain, through on-site inspections, the adequacy and suitability of the applicant's staffing, training program

inspection, preparatory inspection, shipping inspection, ground equipment and facilities to accept and transport cargo including DG.

- (c) And to make sure that has established landside procedures for emergency response for incidents involving dangerous goods.
- (d) After compilation of previous inspections mentioned in phase 2, ECAA will issue the recommendation letter for the cargo service provider.

V. **Certification Phase**

- (a) After receiving the required statements of inspectors at the end of phase three & four the process leader will initiate the recommendation letter to the chairman of ECAA. The chairman will have to approve the application before the DGGD may issue the certificate.
- (b) If any required corrective action or missing. Documents are not provided by the applicant within 90 days after accepting the formal approval, the application shall be rejected and the applicant shall be informed by formal letter.
- (c) However, the 90 days may be extended on request of the applicant on discretion of the General Director Dangerous Goods; in that case a discretion note shall be given to the applicant in writing and a copy of the note will go on record.
- (d) As the initial approval for acceptance and transport of cargo including dangerous goods will be entered in COC.
- (e) At renewal the COC will have a validity of one year.

112.31 Records

The Dangerous Goods Director will open a Certification file for the applicant containing:

- (a) All related documents outlined at EAC 112-1.
- (b) All correspondence between the DGGD and the operator;
- (c) All forms and checklists used during certification process;
- (d) All manuals and documents provided by the operator;
- (e) Any discretion notes issued;
- (f) Copies of internal letters;
- (g) Copies of certificates.

112.33 Frequency of inspections

The Technical Instructions does not specify the frequency of such inspections. However the “Manual of Procedures for Operations Inspection, Certification and Continued Surveillance”, produced by ICAO, recommends that all significant aspects of the cargo service provider’s procedures and practices should be inspected at least once every twelve-month period. Consequently, ECAA should consider inspecting all aspects related to all cargo operation of cargo service provider handling of cargo include dangerous goods as cargo on an annual basis complying with COC validity.

Some of the factors which may affect an inspection’s schedules are as follow:

- (a) Risk assessment.
- (b) Quantity of COMAT or commercial dangerous goods accepted at the location.
- (c) IATA DGR latest edition

112.35. (Reserved)

Subpart D
Air Cargo Service Provider, Registration, Qualifications and Retention

112.37 Application for Approval:

To become an Air Cargo Service Provider, each applicant must enclose the following papers in duplicate in applying to ECAA for MOCA permeation as per EAC 112-1:

- (a) Application form.
- (b) Draft of company by law.
- (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) Authorities Approval and;
 - (4) Evident of courses completed by staff handling cargo operations (Cargo and Dangerous Goods Courses completed by agency staff)

112.39 Application for Amendment of Approval:

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

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

112.41 Registration, renewal or replacement of permit:

- (a) Within 15 days from completion of registration, the Air Cargo Service Provider 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 Service Provider permit must be applied for at the normal charge for a replacement permit.
- (b) In the event an Air Cargo Service Provider 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 Service Provider 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**

112.43 Inspection of equipment and operations of an Air Cargo Service Provider:

- (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 Service Provider 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 Service Provider. It may also commission, or work jointly with, a related association in conducting such inspection.

112.45 Retention of documents

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

112.47 Handling of Hazardous Sections:

Cargo Service Provider 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).