

DEPARTMENT OF TRANSPORT AND REGIONAL SERVICES

Mr James Catchpole A/g <u>Committee</u> Secretary Joint Committee of Public Accounts and Audit Parliament House CANBERRA ACT 2600

Dear Mr Catchpole

REVIEW OF AVIATION SECURITY IN AUSTRALIA

Thank you for your letter of 11 June 2003 to the Secretary, Mr Ken Matthews, concerning a review of aviation security in Australia that is being undertaken by the Committee.

Your offer for the Department to make a written submission to the Committee is appreciated. <u>I have attached a submission that summarises DOTARS' current aviation security regulation</u> role and responsibilities, and outlined the significant continuing reform of the Department's arrangements for addressing security regulation of the transport sector and aviation security in particular. I draw your attention to the continuous review to which transport security arrangements are subject in the current threat environment, and the associated potential for further changes to these arrangements as well as to particular security measures. In this regard, I appreciate the extension of time to make this submission granted by your office.

I would also draw your attention to separate correspondence with the Chair of the Committee, the Hon Bob Charles MP, from the Secretary of DOTARS, Mr Ken Mathews, addressing the ANAO's submission to the Inquiry.

The Department will be happy to provide further advice on its regulatory responsibilities<u>and</u> <u>its role in the reform agenda</u> as required. Our contact for this and general Departmental involvement with the review, including witness attendance at the Hearing on 4 September 2003, is Andy Turner, Assistant Secretary, Aviation Security Regulation, who can be contacted on 02_6274_6200 or by E-mail at <u>Andy.Turner@dotars.gov.au</u>.

Thank you again for writing to the Secretary on this matter

Yours sincerely

SIGNED

Andrew Tongue First Assistant Secretary. Transport Security <u>Regulation Group</u> Department of Transport and Regional Services

<u>27</u> August 2003

THE JOINT COMMITTEE OF PUBLIC ACCOUNTS AND AUDIT (JCPAA): REVIEW OF AVIATION SECURITY IN AUSTRALIA.

SUBMISSION BY THE DEPARTMENT OF TRANSPORT AND REGIONAL SERVICES (DOTARS)

BACKGROUND: THE REVIEW'S CONTEXT

- 1. Aviation security is regulated to maximise its safety for the travelling public. This outcome drives the processes of regulation, not vice versa. This is acknowledged in the body, if not in the recommendations, of the ANAO's 2003 report on Aviation Security in Australia, "[t]he primary purpose of aviation security is to deter, detect and prevent attempted acts of unlawful interference" (paragraph 1.2), and "... DOTARS responded well to the events of 11 September 2001 with a prompt escalation of the aviation security measures and effective oversight of their implementation. The regulatory framework for aviation security is comprehensive" (paragraph 7).
- 2. This submission outlines the role of DOTARS in aviation security policy and regulation, and the reform of the Department's arrangements for transport security in general and aviation security in particular. This continuing reform is driven by the need for greater efforts to protect the travelling public against new threats to their safety emerging since the events of 11 September 2001. The reform is best seen from the perspective of the Government's broader reform of its national security arrangements. This reform has enhanced the significance, without changing the fundamental nature, of the intelligence-driven, threat-based framework of the Australian aviation security system.
- 3. These reforms are seeing DOTARS play an increasingly prominent role as a national security agency, given the ever-increasing significance being accorded to transport security within Australia's counter-terrorism framework. This emerging role is being integrated with DOTARS' more traditional role as an industry regulator, which underpins the regulatory framework set out in the *Air Navigation Act 1920*, the *Air Navigation Regulations 1947*, and *Air Navigation (Checked Baggage) Regulations 2000-* referred to hereafter as the *Air Navigation Act 1920* and its Regulations. The key elements, and some of the major drivers, of reform are described in a conference paper prepared by the Department in May 2003 at Attachment 1. An important feature of DOTARS' role is that it is both an industry regulator and a national security agency engaged in national counter-terrorism processes.
- 4. The constituent parts of this dual role remain under the almost constant review to which they have been subject since 11 September 2001 (section 4, Attachment 1). For example, the Cornall review of counter-terrorism arrangements of late 2001 led to the processes that produced the Government's reforms of passenger and baggage screening and access control announced in December 2002. As recently as 13 August 2003, the Hon John Anderson, MP, Deputy Prime Minister and Minister for Transport and Regional Services, announced a further wide-ranging Government assessment of the aviation security framework to ensure all aspects of the system are positioned to meet emerging threats (Attachment 2). This assessment is being conducted by the Secretaries Committee on National Security (SCNS) that will report to the National Security framework, such as Air Security officers and the Counter-Terrorism First Response (CTFR) function.

- 5. DOTARS' performance as an aviation security regulator also has been subject to review, if less extensively than its security role, when it was examined by the Australian National Audit Office (ANAO) in 2002. The publication of ANAO Report No. 26 2002-03, Aviation Security in Australia, in January 2003 was a precursor to this inquiry by the JCPAA. A copy of DOTARS' submission to the JCPAA for its hearing on 21 May 2003 into a number of ANAO audit reports, including the 2002-03 report into aviation security, is at Attachment 3.
- 6. Aspects of both changing aviation security policy (such as changes to security measures and/or standards) and reform of regulatory performance (such as a more contemporary suite of enforcement tools) are grounded in the legislative framework on which any regulatory regime must rest. The *Aviation Transport Security Bill 2003* was introduced into the Parliament on 27 March 2003 and is currently being considered by the Senate Rural and Regional Affairs and Transport Legislation Committee. The new Bill will be accompanied by a comprehensive redraft of its regulations.

THE AVIATION SECURITY FRAMEWORK

- 7. The origin of the Commonwealth's role in aviation security lies in the provisions of the 1944 Convention on International Civil Aviation (Chicago Convention) for protecting civil aviation against 'acts of unlawful interference'.
- 8. International aviation security Standards and Recommended Practices (SARPs) are established by the International Civil Aviation Organisation (ICAO), the body responsible for administering the Convention and setting internationally agreed operational standards for the safe and secure operation of air transport throughout the world. Australia is a founding member of ICAO and has consistently been elected to its governing council as a "State of chief importance in air transport". ICAO currently has a membership of 188 contracting States to the Chicago Convention.
- 9. DOTARS represents Australia on the panel of experts (the Aviation Security Panel) that advises ICAO on aviation security matters, including reviewing the security SARPs. Once endorsed by ICAO member States, the SARPs are incorporated into Annex 17 of the Convention, *Security Safeguarding International Civil Aviation against Acts of Unlawful Interference*. Member states of ICAO are obliged to implement Annex 17 Standards unless they file a difference. Given the sensitive nature of such information, specific details of any differences filed by member states are kept confidential by ICAO: suffice to say the filing of difference is a rare event for Australia. It should also be noted, by way of comparison, that the current development of a maritime security regime also rests on multilateral international efforts, coordinated through the International Maritime Organization.
- 10. The ICAO standards underpin the *Air Navigation Act 1920* and its Regulations, giving effect to Australia's obligation to develop regulatory and administrative structures to implement the provisions of Annex 17 of the Convention. Copies of the *Air Navigation Act 1920* and its Regulations can be obtained on DOTARS web site at http://www.dotars.gov.au/avnapt/index.htm .

- 11. Within the framework provided by Australia's arrangements for implementing the Chicago Convention, DOTARS operates an intelligence-driven, risk-based aviation security system. DOTARS is a member of the National Counter-terrorism Committee (NCTC), and is an active participant in Australia's counter-terrorism arrangements, with primacy for government and industry cooperation on protective policy and planning issues. Our goal is to enhance an already strong and efficient system, so that we have multiple, overlapping layers of security designed to deter, and if necessary detect, threats against civil aviation. To this end, DOTARS works closely with ASIO in developing an assessment of threats against aviation. This threat assessment represents strategic intelligence directed at informing the planning and implementation of protective security policy. DOTARS also works closely with ASIO in the day to day process of turning intelligence into protective security responses. DOTARS has primacy within the NCTC critical infrastructure process for coordination of protective security measures in the transport sector.
- 12. The rest of DOTARS regulatory role, which it conducts in consultation with several other government agencies as well as the airline and airport industries, involves transforming threat information into risk-based security measures and standards, and auditing industry compliance with those measures and standards (see section 3 of Attachment 1 for details). DOTARS investigates the aviation security implications of reports of non-compliance, whilst any criminal aspects are matters for the Australian Federal Police and/or State/Territory Police. Recent examples of major investigations include the attempted seizure of Qantas flight QF1737 between Melbourne and Launceston on 29 May 2003, a series of alleged breaches of sterile areas at Sydney airport during May 2003, and the discovery of a boxcutter on Qantas flight QF77 in Perth on 25 June 2003. These investigations are being finalised.
- 13. It needs to be emphasised that DOTARS is not a provider or funder of security services, such as the screening of passengers at airports or other security measures that industry is required to adopt. Indeed, as discussed in section 2 of Attachment 1, DOTARS is only one of many Commonwealth agencies with a role in the total aviation security system, in which State and Territory agencies (eg police) and private sector bodies also have parts to play.
- 14. The industry operators that are regulated by DOTARS are:
 - <u>Airline Operators</u> These are operators of air services to, from or within Australia, responsible for the security of their aircraft, including screening of passengers and their carry-on baggage and security control of cargo and catering. Each operator of an international air service and operators of a domestic air service using aircraft <u>that meet</u> <u>criteria set out in the legislation</u> must have an approved aviation security program.
 - <u>Airport Operators</u>- The responsibility of each airport operator of a <u>security categorised</u> <u>airport (</u> Attachment <u>4</u>) is to ensure that prescribed minimum regulatory standards are met with respect to airport security, including physical security, access control and, where required, the <u>CTFR</u> function. Although the airport operator is responsible for overall airport security, responsibility for security of individual buildings or facilities rests with the organisation that has management control over the building or facility concerned; and
 - <u>Regulated Agents</u>– Regulated agents are freight forwarders and courier companies who have agreed to operate in accordance with an approved security program. The *Air*

Navigation Regulations 1947 require the security program to specify equipment and procedures for preventing cargo from containing explosives or incendiary devices, preventing unlawful access to cargo, and documenting the security procedures in relation to each item of cargo.

- 15. The principal sources of the aviation security measures that are adopted by industry are in the security programs each of the relevant industry operators is required to maintain. The *Air Navigation Act 1920* and its Regulations also provide various mechanisms such as Additional Security Measures and a range of legislative instruments for variations to these programs and such matters as designation of sterile areas at airports, screening authorities and aspects of screening.
- 16. Screening of passengers and accompanied baggage currently occurs at 29 Australian airports. A further 9 regional airports are security categorised but do not meet the criteria of type of aircraft traffic for passenger screening, although they have a range of security measures in place. Approximately 94 percent of Australian domestic passengers are security screened.
- 17. Should the Government, based on a continuous review of the threat to Australian aviation, decide that the security situation requires the introduction of screening at further regional airports, it will be introduced in consultation with the airport operator and relevant airlines. At the same time, where an airport operator believes that the introduction of additional security measures is required, DOTARS will work with them to explore the feasibility and cost of applying the full regulatory regime.
- 18. The Government's policy is that the provision of protective security is an integral cost of doing business in Australia that is to be met by the owner or operator of the infrastructure. The technology-dependent practice of passenger screening is only one of the protective security measures at airports required under current legislation. The full range of such measures will depend on the categorisation of the airport, but could include such things as maintenance of a security restricted area, boundary fencing and the operation of an airport security committee. It is not possible to identify a definitive cost for such variable requirements, but establishment costs will usually be in the order of about \$1 million with an annual operating cost in the order of \$200 000 for an airport with passenger screening.
- 19. The Aviation Transport Security Bill 2003 was introduced into Parliament in March 2003. The Bill underpins various Government decisions to revise and modernise Australia's aviation security policy and regulatory regime. The Bill clarifies the current aviation security legislation and amongst other things:
 - aligns Australia's aviation security framework with revised International Civil Aviation Organization (ICAO) standards;
 - reflects the outcomes of policy reviews on access control, and passenger and baggage screening; and
 - addresses concerns outlined in the January 2003 ANAO report (such as the introduction of graduated penalties and enforcement measures).
- 20. The Aviation Transport Security Bill 2003 will be accompanied by regulations setting out the detailed arrangements under which aviation security is to be governed. Regulations are currently being drafted in full consultation with the aviation industry. A copy of the

Bill, including other information such as its Explanatory Memorandum, can be obtained on the Parliament House web site at http://parlinfoweb.aph.gov.au/piweb/browse.aspx?NodelD=35.

TRANSPORT SECURITY IN DOTARS

- 21. Section 5 of Attachment 1 identifies 'work in progress' within DOTARS to integrate its security interests and skills into a Transport Security Division. This organisational change took formal effect from 1 July 2003 as part of a larger organisational restructure within DOTARS that, amongst other things, created a 'Regulatory Group' to bring together all of the Department's regulation functions.
- 22. Whilst the 2003-2004 business planning process for the new Transport Security function has yet to be completed (with priority having been given to planning for integrating the new Group), relevant elements of the work programme include:
 - continuing work with ASIO to develop processes for disseminating aviation threat assessments to the aviation industry and State/Territory members of the National Counter-Terrorism Committee;
 - continuing liaison with government agencies and aviation industry representatives about the new Bill and Regulations;
 - supporting the SCNS assessment of the aviation security framework;
 - maintaining our focus on the implementation of the current regulatory regime, including the investigation of security incidents;
 - reorganising to allocate increased resources to cargo security function integrated across all transport modes;
 - redesigning work processes to incorporate the auditing of cargo regulated agents into the work programmes of regional offices (following the completion of recruiting additional staff for each of DOTARS 5 transport security regions)
 - establishing project management procedures for implementing a transport (rather than aviation) security information management system (funded in the 2003-2004 Budget); and;
 - addressing other issues arising from the 2003 ANAO report.

CONCLUSIONS

- 23. The scope and timetable of this work programme indicates the extent and complexity of the reforms underway to align DOTARS transport security regulatory role with the rapidly evolving requirements of the Government's national security framework as well as the accountability expected of a contemporary industry regulator. Implementation of this wide-ranging reform agenda is central to the development of DOTARS role as a regulator and national security agency.
- 24. Aviation security remains in a dynamic phase of rapid adjustment of counter-measures to evolving threats and risks. International approaches to aviation security, including those developed by ICAO, are still changing. Australia is not alone in having a domestic aviation industry in which security measures are still undergoing almost constant review, assessment and reform. Two years after the dramatic events of 11 September 2001, DOTARS is still engaged in the active management of the day to day implementation of aviation security reforms as well as the strategic planning of responses to emerging intelligence.

25. The processes required to provide acceptable levels of security for the travelling public have been in a state of flux since September 2001, including throughout the period of the ANAO's audit of DOTARS' role in aviation security in 2002, and will continue to change into the foreseeable future. In these circumstances, the aviation security priority for DOTARS is to implement strategic reforms of the aviation security system to maximise the security of the travelling public.

ATTACHMENT 1

AVIATION SECURITY POLICY AND REGULATION IN AUSTRALIA

AVIATION SECURITY 2003: Delivering on airport, airline, passenger and air cargo security requirements. INSTITUTE for INTERNATIONAL RESEARCH (IIR) CONFERENCE, GRACE HOTEL, SYDNEY, 26-28 MAY 2003

Andy Turner Assistant Secretary Aviation Security Policy Aviation & Airports Policy Division Department of Transport & Regional Services (DOTARS)

1. INTRODUCTION

1.1 Australian aviation security is in the midst of wide-ranging and rapid change. Yet, both the scale and pace of that change may pale in comparison with the development of security regimes for other modes of transport, and for other industries which generate large crowds. Security has joined safety as a major concern of the consumers, providers and regulators of transport and other forms of critical infrastructure¹.

1.2 On the other hand, aviation security has a long history. Aircraft hijacks and airport bombings have been stock-in-trade for terrorists and the disaffected for a long time. Even the destruction of an American jet over the Scottish town of Lockerbie happened well over a decade ago. However, this conference demonstrates the extent to which events in New York and Washington DC on 11 September 2001 and Bali on 12 October 2002 have made counter-terrorism and aviation security major preoccupations of our institutions, including the media.

1.3 The Department of Transport and Regional Services (DOTARS) is an active participant in the Australian counter-terrorism arrangements created by the Inter-Government Agreement signed by the Prime Minister and Premiers on 24 October 2002 (eg National Counter-Terrorism Committee, and Commonwealth Counter-Terrorism Committee) without being a 'counter-terrorism agency'. We are concerned, amongst other things, with the public safety and security of Australia's transport system. The origin of our security role lies in the provisions of the 1944 Chicago Convention on International Civil Aviation for safeguarding such aviation against 'acts of unlawful interference'. Terrorism is not the only source of 'unlawful interference' although the role of international agencies in developing transport security arrangements is a recurring theme.

1.4 This paper examines in more detail than is possible in the conference presentation:

- a) public and private sector roles in Australian counter-terrorism arrangements for protecting critical infrastructure;
- b) DOTARS' role in aviation security;
- c) some drivers of recent and current changes in Australian aviation security policy and regulation; and
- d) a 'work in progress' report on transport security arrangements.

1.5 I emphasise the essential caveat that any speculation about the future reflects my own expectations rather than Government commitments to policy or regulatory outcomes.

2. PUBLIC AND PRIVATE ROLES IN PROTECTING CRITICAL INFRASTRUCTURE

2.1 The key characteristics of Australia's counter-terrorism and aviation security arrangements include:

¹ Critical infrastructure is defined as that infrastructure which, if destroyed, degraded or rendered unavailable for an extended period, will significantly impact on social or economic well-being or affect national security or defence.

- a) coordination of multiple agencies with counter-terrorism functions across the public and private sectors, in preference to the centralisation of responsibility within a single 'mega-department';
- b) the owners of aviation infrastructure (mostly private sector airports/airlines) being responsible for funding and providing preventative security measures;
- c) government agencies taking a leading role in security incident management and response; and
- d) in aviation security, DOTARS fulfils an industry regulation role in specifying, monitoring and enforcing minimum standards for the preventative security measures implemented by airports/airlines.

2.2 A key role of the Commonwealth in Australia's counter-terrorism arrangements is that of coordinating the national security activities of the many government agencies contributing to that security, primarily through the National Counter-Terrorism Committee (NCTC). There are many agencies with counter-terrorism functions within the Commonwealth and other levels of government. For example, this paper does not canvass in detail the contributions to the layers of aviation security by many other Commonwealth agencies and State/Territory police forces, such as the Counter-Terrorism First Response (CTFR) function and Air Security Officer (ASO) programme provided by the Australian Protective Service, and the Movement Alert List (MAL) and Advance Passenger Processing (APP) systems administered by the Department of Immigration and Multicultural and Indigenous Affairs (DIMIA). At this stage, there appears to be little Commonwealth enthusiasm for adapting the American model of creating a 'mega-department' responsible for that diverse array of responsibilities.

2.3 Indeed, a much clearer 'road map' of relevant Australian counter-terrorism arrangements is provided by the Critical Infrastructure Protection project being coordinated by the NCTC. The Council of Australian Governments endorsed, on 6 December 2002, the critical infrastructure protection principles developed by the NCTC from the recommendations of the Business-Government Task Force on Critical Infrastructure. These principles underpin the development of terms of reference for sector-specific Infrastructure Advisory Groups and the Critical Infrastructure Advisory Council².

2.4 This approach reflects Commonwealth policy that there is a shared role for the public and private sectors in protecting Australian critical infrastructure, since private companies own a great deal of that infrastructure (eg airports and airlines). Providing preventative security for that infrastructure is a matter of good governance for private sector companies, and an integral part of the cost of doing business in our troubled times. On the other hand, government agencies - primarily but not exclusively in the States and Territories - have the lead roles in managing and responding to terrorism and other security incidents. I note that there is a continuing debate about which costs are appropriately those for industry and which for government.

2.5 For the purposes of this paper, the important conclusion to draw from this approach to protecting critical infrastructure is that it adopts the model that is used in Australian aviation

 $^{^2}$ Responsibility for the terms of reference rests with the Commonwealth Attorney-General's Department in liaison with the Council.

security³. Hence, there are broader lessons for Australian security arrangements to be drawn from a clear understanding of the model for providing aviation security.

3. THE ROLE OF DOTARS IN AVIATION SECURITY

3.1 The role of DOTARS in aviation security, and increasingly in other forms of transport security (section 5), is that of an industry regulator. We are neither a provider of security services nor a lead agency in incident management and/or response, though our need to learn lessons from security incidents makes us active participants in incident management. For example, we have an interest in the development and implementation of security incident reporting arrangements

3.2 DOTARS currently exercises its aviation security functions through the Aviation Security Policy Branch of the Aviation and Airports Policy Division (see paragraph 5.5). The role and functions of the Branch are shaped not only by the Chicago Convention, but also by the aviation security provisions of the *Air Navigation Act 1920* and its Regulations. The Constitution also, and perhaps inevitably in a federal system, shapes our role. Without going into all the details, suffice it to say that the Commonwealth's responsibilities are focussed on international and inter-State aviation, with the States and Territories having a role in the regulation of intra-State aviation.

3.3 The role of government, and therefore of DOTARS, is to provide the policy framework, and to regulate industry's provision of minimum standards, for protective security set out in the legislation. More precisely, DOTARS:

- a) provides advice to, and implements decisions made by, the Government on Australian aviation security *policy*, including participation in international transport and Australian counter-terrorism fora;
- b) uses threat assessments and associated *intelligence* gathered in consultation with the industry and relevant agencies to develop risk-based preventative security *measures* for incorporation into the Act, Regulations or associated legal instruments;
- c) establishes the minimum *standards* to be achieved by operators in the implementation of preventative security measures;
- d) approves the *security programmes* developed and implemented by airline and airport operators, setting out the resources and measures to be applied to preventative security and their plans for responding to security incidents;
- e) monitors, tests and audits industry compliance with those measures and standards;
- f) regulates to *enforce*, where necessary, the preventative security measures and standards; and

³ The only significant exception to this model in aviation security was the Budget-funding of the Advanced First Response (AFR) function of the Australian Protective Service (APS) in 2002-03. AFR is an upgraded version of the Counter-Terrorism First Response (CTFR) function that the APS carry out under contract to major Australian airports consistent with the provisions of the *Air Navigation Act* and Regulations. The APS are present in their CTFR and/or AFR capacity at the eight capital city airports together with Cairns, Gold Coast and Alice Springs.

g) *revises* the security policy, measures and/or standards in the light of intelligence, monitoring, auditing, and related information.

(a) International and Domestic Policy

3.4 The policy role of DOTARS is largely self-explanatory given the dominant international preference for co-locating transport security responsibilities with transport agencies rather than with security agencies. Many of the innovations in transport security are being driven through international organisations in which DOTARS represents Australia's interests (section 4[a]).

3.5 The international nature of civil aviation necessitates a reasonable level of harmonisation of that activity, of which security is only a part. That harmonisation is provided through the International Civil Aviation Organization (ICAO), the United Nations body that administers the Chicago Convention. The Convention includes a series of annexes detailing ICAO's approach to different aspects of international civil aviation. Annex 17, "Security – Safeguarding International Civil Aviation against Acts of Unlawful Interference", sets out the Standards and Recommended Practices (SARPs) adopted by ICAO to guide international civil aviation security standards.

3.6 Australia is an active member of ICAO, not least in its work on aviation security. For example, the Transport and Regional Services portfolio provides Australia's members on the Organization's highest governing body, the Council, and it's Aviation Security Panel.

3.7 ICAO has been active in harmonising reform of international civil aviation security since 11 September. A Ministerial Council, a rare event for ICAO, approved a Plan of Action in February 2002. Key elements of the Plan are a universal aviation security audit programme and further amendments to Annex 17 to reflect the new security environment. (Amendment 10 came into effect on 1 July 2002, and Australia is part of an Aviation Security Panel Working Group preparing Amendment 11).

3.8 The outcome of this activity is expected to be a programme of auditing the international aviation security programs of ICAO member States against the standards of Annex 17 by panels of independent accredited auditors, using a handbook and other guidance material approved by ICAO member States. This will provide 'benchmarking' that should assist in fostering a level of confidence in the security programs of international operators.

(b) Intelligence and Security Measures

3.9 There is nothing novel to Australia about basing aviation security measures on assessments of risk, nor of using the threat assessments provided by security agencies as a basis for identifying measures to counter those threats (eg types of concealed weapon or explosive device).

3.10 What is new for us is the work we are doing with the intelligence agencies to refine general statements of threat to provide more specific statements of the aviation risks faced by, for example, aircraft types, airlines and/or airports. Of course, DOTARS is a 'consumer' of intelligence rather than a 'producer' of it: we recognise that providing such specific intelligence to underpin aviation security measures may often be a significant challenge.

3.11 Our network of contacts in the aviation industry and relevant government agencies provides us with general intelligence. That network also informs our assessments of the balance to be struck between the security effects of measures and their impact on passenger facilitation.

(c) Standards

3.12 Once 'measures' have been identified to counter 'threats', it also is the role of the regulator to identify the 'standards' that airport and/or airline operators must achieve in implementing these measures. For example, armed hi-jacking is a form of threat, and screening of passengers and their carry-on baggage is a form of security measure to counter that threat. An example of a standard might be that no implements capable of cutting the skin are to be taken into the cabin by passengers. DOTARS' measures and standards are a minimum: there are no regulatory constraints on operators taking additional security measures or imposing more stringent standards that they deem appropriate to protect their assets and their customers.

(d) Security Programmes

3.13 The most comprehensive source of information on the security arrangements and procedures adopted by aviation operators is to be found in their airline or airport security programmes. The programmes are prepared by each relevant airline and airport and they currently set out in practical terms how each individual program holder will meet the requirements of ICAO's Annex 17 and/or the Air Navigation Act and Regulations. A security programme approved by the Secretary of DOTARS is a prerequisite for airport/airline operators, so the withholding or withdrawal of such approval is a powerful sanction in the Department's enforcement regime.

(e) Compliance Auditing

3.14 The largest component of our activity is a compliance audit programme, and associated monitoring and testing of security measures and standards. This involves regular audits to identify and evaluate the compliance of relevant airlines and airports with the measures and standards established under the *Air Navigation Act* and Regulations. Staff from our regional offices in Brisbane, Sydney, Melbourne, Adelaide and Perth undertakes most of this auditing. The security audit programme being developed by ICAO will be a complement to, rather than a replacement for, these audits.

(f) Enforcement

3.15 The Air Navigation Act and Regulations contain a range of penalties for noncompliance with the security measures and standards. The design and application of legal enforcement regimes is one of the most contentious areas of any regulator's armoury. The performance standards for the outcome we are seeking are expressed in terms of the safeguarding of civil aviation from unlawful interference, rather than the prosecution of examples of non-compliance with security standards: we seek to encourage effective security rather than to punish non-compliance. At the heart of the issue are beliefs about the circumstances in which enforcement leads to the behaviour change necessary to develop and maintain an essential security culture. In part, this dilemma is addressed by new aviation security legislation (section 4[c] below) providing a broader range of enforcement tools that allow a clearer distinction between 'enforcement' and 'prosecution'.

(g) Evaluation and Review

3.16 The security environment is going through a particularly dynamic phase, but it is never static. The information provided by our audit programme, monitoring and testing activities, incident reporting procedures and networking with industry and government security personnel must be analysed in search of patterns indicating the need for adjustments to standards, measures, legal instruments and/or security policies (see section 4[b]).

4. SOME DRIVERS OF CHANGE IN AVIATION SECURITY

4.1 The *role* DOTARS plays in regulating the minimum standards of security provided by the Australian aviation industry has remained stable throughout the changes sweeping through aviation security. On the other hand, the *activities* we regulate and how we regulate them continue to change. Many of these new activities, such as the introduction of Additional Security Measures (ASMs) requiring increased access control at airports and screening of passengers, were introduced before Bali, and some, such as new aviation security legislation, were being prepared even before September 11. Yet more reforms, such as follow-up of the 2002 reviews of the CTFR function and ASO programme, are still being developed.

4.2 There are two seemingly independent elements of public policy reform driving these changes to aviation security. Whilst one driver is specific to security concerns and the other is focussed on the performance of government regulation, they converge in the reform of aviation security legislation. Hence, this section examines:

- a) the review of Australian counter-terrorism policy generated by the events of September 11 and reinforced by Bali;
- b) the pursuit of continuous improvement in the effectiveness, efficiency and accountability of the regulatory functions of government, of which aviation security is but one example (the April report of the HIH Insurance Royal Commission is another) ; and
- c) recent and current reforms to Australian aviation security legislation.

(a) Policy Review

4.3 An international focus on transport security has emerged over the past 18 months, driven by both national governments and international organisations such as ICAO, the International Maritime Organization (IMO), and the World Customs Organization (WCO). The Federal Government undertook reviews of its counter-terrorism arrangements, extending well beyond transport security, during late 2001 and early 2002. Amongst the many decisions to come out of this process were directions for DOTARS to conduct reviews of (a) Aviation Security Identity Cards (ASICs) and other forms of access control; and (b) passenger and baggage screening. The reviews also contributed to the policy framework for modernising the relevant legislation (section 4[c]). 4.4 The Minister for Transport and Regional Services, the Hon John Anderson MP, announced the outcomes of the Government's consideration of the screening review in his "A Secure Future for Regional Australia" speech to the National Press Club on 11 December 2002, in which he said:

"The Government will require all airports that handle scheduled jet operations to screen for all passengers and their carry-on baggage, including those flying on propeller services. The decision will not result in screening being withdrawn from airports where jet services are replaced by propeller services.

As a result, the number of airports where security screening is required will increase.

In addition, we will introduce screening for passengers and carry-on baggage at additional locations where an airport operator or airline requests those security standards should apply. The airport operator or airline would cover the cost of the screening facilities.

It has been suggested that screening should be extended to all 150 airports that handle scheduled services, including ones that handle a very small number of flights. The current threat environment does not warrant such an extensive screening programme.

We have decided to require upgrades to the capabilities of all passenger screening points. The upgraded equipment will be at the cutting edge of international standards for screening technology.

Australia has screened checked baggage on selected international flights since June 2000. The Government is working with the industry right now to introduce urgent measures to increase the scrutiny of checked baggage on both international and domestic services.

In the longer term, it is now appropriate to introduce 100 percent checked bag screening for all international flights. My department will work closely with the industry to bring it into effect by 31 December 2004, a full year ahead of the deadline imposed by the International Civil Aviation Organisation (ICAO).

The Government will also require the operators of Australia's major domestic terminals to introduce checked bag screening for domestic services, on the same timetable."

4.5 The Government's subsequent decisions on access control involve extending the requirement to carry an ASIC to more airports and a national re-issue of ASICs in 2003-04. The decisions on ASICs also will result in:

- a) the requirement for a Politically Motivated Violence (PMV) check to become a key part of background checking procedures for their issue;
- b) the maximum validity period being reduced from five to two years, with new criminal and PMV checks required for each renewal; and
- c) the use of new technology making ASICs more difficult to forge.

4.6 The implementation of these policy decisions requires a great deal of continuing consultation with airports, airlines and other Commonwealth agencies to develop the precise measures, standards and related operating procedures. This is a substantial body of work for both the regulator and the regulated, leading to the development of more complex government-industry liaison and coordination forums to accommodate the expanding range of policy, operational and technical issues requiring attention.

4.7 These forums also are considering the evolving policy agenda emerging from ICAO (paragraphs 3.4 to 3.8), such as reinforced cabin doors and international security audits, and other aspects of the domestic agenda, such as ASOs and CTFR (paragraph 4.1 and footnote 3).

(b) Reforming Government Regulation

4.8 The Commonwealth Government keeps its own regulatory activities under constant review, ever mindful of the need to demonstrate that the public benefits of shaping the behaviour of private sector service providers justify the costs imposed on taxpayers and the private sector. The HIH Insurance Royal Commission and events surrounding the Therapeutic Goods Administration's temporary withdrawal of Pan Pharmaceuticals' license provide examples of the political and public concern that regulatory regimes can attract.

4.9 Within the Commonwealth, the job of auditing the performance of agencies falls to the Australian National Audit Office (ANAO). The ANAO conducted an audit of DOTARS' aviation security performance in 2002, with their report, *Aviation Security in Australia*, tabled in the Parliament 'out of session' on 16 January 2003.

4.10 Audits provide an opportunity for some reflection as well as some outside scrutiny and accountability to the Parliament. This is a constructive thing for an organisation that has been riding the tiger of the Olympics, CHOGM, September 11 and Bali for the past five years or so. A bit of sober reflection on the role, functions and approach of the Branch is timely as we implement the new domestic policy agenda and prepare for ICAO's international security audit programme.

4.11 The ANAO concluded that the regulatory framework for aviation security in Australia is comprehensive and that there was a timely and effective response to the events of September 11. This is a significant endorsement for the model described in section 3 above and its extension to underpin evolving security regimes for other modes of transport and other forms of critical infrastructure (paragraph 2.5).

4.12 On the other hand, acceptance of the six recommendations in the report does entail us reforming several significant aspects of how we implement our role in the aviation security model. Without going into all the details of the recommendations, the major thrust of reform will entail development of:

a) a capacity for 'systems audits' to examine the processes used by airports and airlines to provide security to supplement our current programme of 'product audits' that focus on compliance outputs;

- b) a more sophisticated enforcement regime that addresses the roles of the hierarchy of providers from the airlines and airports, through their contracted security providers to individual employees; and
- c) a management information system to facilitate the analysis of the information generated by the monitoring and audit programme.

4.13 There are no surprises in these recommendations, given the transparent manner in which ANAO reports are prepared, and work has been under way to implement them since before the report's release. For example, a report on the scope of a new information management system was prepared in the latter half of 2002 to contribute to the DOTARS business planning process for 2003-04. The system is being designed to accommodate DOTARS' functions in other modes of transport security as we review our information management processes to improve our capacity to store, analyse and retrieve data generated by our audit programmes, system tests and security incident reports as a basis for honing security measures.

4.14 As with the implementation of the Government's revised policy agenda, the reform of the regulatory process involves a significant body of work that will extend over several years. For example, we are amending our auditing procedures to incorporate a systems based auditing regime as soon as possible. We are far from the only Commonwealth regulator incorporating systems audits into its tool kit. The Civil Aviation Safety Authority (CASA), for example, has moved a long way down this track and is providing a valuable source of advice as we follow a similar path. According to CASA's latest Annual Report the systems based auditing approach is already showing signs of delivering better safety outcomes. However, CASA have been engaged in the process for about four years with a lot of work still to do to complete the incorporation of systems audits to their full satisfaction. We acknowledge that we are engaged in a significant change process that will involve staff of the Branch, aviation security industry participants and other government security agencies in 'reengineering' how the regulation of aviation security is implemented.

(c) Legislation Reform

4.15 We are engaged in reform of both the security measures we regulate and how we go about regulating them. Both of these drivers point to the need to reform the legislative basis currently provided by Part Three of the *Air Navigation Act 1920*. Indeed, reform of the Act has been in the pipeline for many years, and some amendments were made by passage of the Aviation Legislation Amendment Act in late 2002. However, the dynamic circumstances in which aviation security has found itself over the past few years, including preparations for the Sydney Olympics, has led to a set of constantly changing requirements for such legislation.

4.16 The outcome has seen the abandoning of proposals for further reform of the *Air Navigation Act* in favour of replacing Part Three with an entirely new piece of legislation. The Minister, John Anderson, has given this new legislation very high priority and introduced the Aviation Transport Security Bill 2003 into the House of Representatives on 27 March. Parliamentary consideration of the Bill is being accompanied by a complete redrafting of the associated Regulations.

4.17 It is inappropriate for me to pre-empt the outcome of consideration of the Bill and Regulations by the Parliament. However, the Explanatory Memorandum describes the Bill as, amongst other things:

- a) aligning Australian aviation security with the revised ICAO standards;
- b) implementing recent policy reviews and decisions made in response to the evaluation of risk to aviation consequent to aviation terrorist attacks in the USA on 11 September 2001;
- c) satisfying recommendations of the ANAO report;
- d) introducing graduated penalties for a more appropriate or equitable enforcement regime;
- e) allowing flexibility by providing a broad and robust framework and extensive regulation making powers: "[b]y providing for much of the detail to be set out in regulations, this bill will allow the Government to respond to evolving security situation in a timely fashion, while preserving the necessary parliamentary oversight";
- f) providing a separate piece of legislation that will allow for future amendments that may be extended to other transport sectors; and
- g) reflecting the aviation industry's primary role in delivering security outcomes and the Commonwealth's role in regulating the industry to monitor compliance and encourage the achievement of those outcomes.

4.18 Whatever the detail of the Bill at the end of its parliamentary debate, it will provide a contemporary description of the purpose of Australian aviation security and the tool kit that the regulators need to achieve that outcome, including an enforcement regime incorporating graduated penalties.

5. TRANSPORT SECURITY ARRANGEMENTS IN DOTARS

5.1 This is not the place to go into the details of the regulatory regimes being developed for modes of transport other than aviation, particularly the international regime for maritime security being developed through the IMO. However, it is appropriate to note that the growing concern with broader transport security is a further driver of significant change within DOTARS.

5.2 It is worth reiterating that DOTARS is concerned with, amongst other things, the safety and security of Australia's transport system, rather than being a 'counter-terrorism' organisation. Hence, the growing significance of transport security in national and international transport policy frameworks is a major focus for DOTARS. Our interest is not limited to the provision, or even the regulation, of security services, but extends to managing the trade-off between the Department's traditional focus on facilitating the movement of passengers and freight with the international concern about the security of those passenger and freight movements.

5.3 Hence, DOTARS is vitally interested in such policy issues as balancing the social benefits of tighter security with the economic costs of inhibiting the movement of people and goods in international and domestic trade. This is potentially most noticeable in the impact of international interest in increased security for the movement of containers by road, rail, sea and/or air, with its potential to be perceived as a new form of non-tariff barrier to trade. On the other hand, some parts of the freight logistics industry recognise that new security challenges may well converge with a longstanding drive to improve information about, and control of, 'inventory on the move'.

5.4 DOTARS is keen to promote the recognition that security is part of good business practice and the achievement of sound economic outcomes. This does, however, pose policy and regulatory challenges in getting the right balance between security and facilitation in a world built on trade but facing the challenge of international terrorism attacking the essential infrastructure of that trade.

5.5 Within DOTARS, we are moving towards integrating our security interests and skills into a single Transport Security Division to provide a point of contact on all DOTARS transport security issues. This will make the most cost effective use of scarce transport security resources, and recognises that the building of a transport security capacity is yet another element of the change management agenda within the Department.

6. CONCLUSION

6.1 This paper has sketched the elements of Australia's model for providing aviation security and the international and domestic processes that are driving widespread change in the activities associated with such security. The model relies on government regulation of the minimum standards and measures provided by the private sector organisations that own the businesses that provide the aviation infrastructure and services. It is apparent that this model is being used for developing security arrangements not only for other modes of transport but also for the protection of other forms of critical infrastructure. Hence, there are broader benefits in promulgating a better understanding of how aviation security is delivered and how it is regulated.

ATTACHMENT 2 MEDIA RELEASE JOHN ANDERSON DEPUTY PRIME MINISTER MINISTER FOR TRANSPORT

AND REGIONAL SERVICES

Aviation Security Assessment

A93/2003

13th August 2003

Australia's aviation security framework will be assessed as part of the continuous review process to ensure all aspects of the system are positioned to meet emerging threats, Deputy Prime Minister and Minister for Transport and Regional Services, John Anderson, said today.

<u>"Australia has a robust aviation security framework in place – comparable to systems in Canada, the United Kingdom and the United States," Mr Anderson said.</u> <u>"However, the nature of the threat to aviation is evolving, as is Al-Qa'eda's capability to act.</u>

"The assessment will bring together key intelligence, transport, border control and security experts to ensure Australia is positioned to continue to meet emerging threats.

"It will go beyond compliance with existing measures, beyond monitoring responses and dayto-day operations. Instead, it will focus on the big picture to make sure we are actively managing our security environment in the best way possible.

"The face of aviation security changes from month to month, year to year. Our goal is to ensure Australia can continue to meet the challenges of protecting our skies for as long as the threat exists."

The assessment will be undertaken by the Secretaries' Committee of National Security which will report to the National Security Committee of Cabinet.

"Australia's aviation security framework spans 38 airports, some 60 domestic and international airlines, 50 000 employees and 50 million passenger movements a year – although this is a mammoth task, it is a system that works very well."

Since September 2001 the Australian Government has significantly strengthened aviation security with measures including:

- enhanced passenger and baggage screening
- tighter airport access control
- <u>air security officers on domestic flights (with negotiations advanced for international flights)</u>
- <u>expanded explosive detection capability</u>,
- stricter security arrangements for international and domestic cargo
- arrangements for screening all checked baggage
- upgraded counter-terrorism first response capability.

Media contact: Paul Chamberlin 02 62777680 / 0419 233989

SUBMISSION BY THE DEPARTMENT OF TRANSPORT AND REGIONAL SERVICES TO THE JOINT COMMITTEE OF PUBLIC ACCOUNTS AND AUDIT HEARING OF 21 MAY 2003 INTO ANAO AUDIT REPORT NO 26 2002-2003, PERFORMANCE AUDIT, AVIATION SECURITY IN AUSTRALIA

OVERVIEW

- 25. ANAO Audit Report No 26 2002-2003 was tabled out of session on 16 January 2003. It endorsed DOTARS' response to the events of September 11 and noted that the regulatory framework for aviation security is comprehensive. It found that the Department's monitoring regime was essentially sound, but could be improved. It also found that improvements could be made with regard to action taken by the Department to correct non-compliance with aviation security standards.
- 26. As noted by the ANAO, DOTARS considers that the report provides a valuable check on the way it undertakes its aviation security regulatory responsibilities, and makes a significant contribution to work DOTARS has been undertaking to improve its performance as a regulator.
- 27. The report made six recommendations covering air cargo, industry monitoring and compliance with aviation security standards, enhancement of the security management information system and development of performance indicators.
- 28. The Department accepted all six recommendations, which, when fully implemented, will further enhance what the ANAO has acknowledged to be an essentially sound aviation security regulatory framework.
- 29. Since the 1998 ANAO audit, our aviation security regime has successfully responded to the increased aviation needs of the Sydney Olympics, the Commonwealth Heads of Government Meeting, and the tragic events of September 11 2001, and of 12 October 2002 in Bali.
- 30. The Department has, however, noted the ANAO's comments concerning progress in implementing the recommendations of the 1998 ANAO audit. The Department acknowledges that implementation of a number of the 1998 recommendations, particularly those relating to our auditing procedures and a move to systems based approach to monitoring has been limited, and not progressed to out satisfaction. These recommendations will be taken up in the context of the 2002/2003 recommendations.
- 31. In addition, many of the reforms recommended by the ANAO in 1998, including the Department's response to Recommendation 1 of the JCPAA's 371st report in 1999, are no longer applicable, or have been taken over by broader reforms of the legislative and administrative framework for aviation security still underway as part of the Government's enhancement of counter-terrorism arrangements.

IMPLEMENTATION OF THE 2002-2003 ANAO RECOMMENDATIONS

ANAO Recommendation 1 – Air cargo

32. <u>Recommendation 1</u> relates to the monitoring of regulated agents who handle the export of air cargo. This is an important area and a review of the resources devoted to this area is due to be completed by June this year. Implementation of this recommendation is also being taken up in the broader transport security context with regard to integration of the aviation security cargo function into the overall transport freight logistics security chain. Consistent with suggestions put forward by the ANAO, consultations with relevant external agencies, in particular the Australian Customs Service, will also be undertaken with regard to the screening of international inbound cargo. However, it should be noted that these agencies have the primary responsibilities for boarder control, and that consistent with international practice, DOTARS aviation security regulatory responsibilities cover outbound or departing passengers and cargo.

ANAO Recommendations 2,3,4 and 5 – Monitoring, Compliance and Information Management

- 33. These recommendations cover the Department's industry monitoring, compliance and information management activities. In implementing these recommendation, particular attention will be paid to maintaining the integrity of the Departement's current level of service and professionalism that is require to regulate the industry, whilst in transit to the new regulatory approaches recommended by the ANAO.
- 34. <u>Recommendation 2</u> relates to the adoption of a systems based audit approach as opposed to the more traditional product or output based audit approach. This new systems based monitoring and compliance regime will focus on the systems and procedures that airlines, airport operators and other industry participants develop and use to comply with Australia's security standards, rather than just on the actual security outcomes which are currently audited by the Department.
- 35. The Department has consulted with a number of other organisations, including the Australian Customs Service and the Civil Aviation Safety Authority (CASA), which have had relevant experience in recent years in moving to systems based auditing procedures. Consistent with the experience of these organisations, the Department is currently developing the appropriate surveillance systems, including manuals and guidance material, which will form a sound and well documented basis for a systems based approach to the aviation security auditing of the aviation industry. This process will also entail appropriate surveillance training for Departmental security inspectors and industry education in the new procedures. Training will also cover cross-cultural communications, which formed part of the JCPAA's 371st report in 1999.
- 36. The experience of other organisations that have introduced systems based auditing suggests that a period of time will be required to fine tune audit arrangements and procedures taking into account operational experience and the nature of the regulatory interface with industry. Product based auditing is still a useful surveillance tool and will form a part of the new auditing regime

- 37. In terms of timing, it is currently proposed that systems based auditing will commence in the second half of 2004 to coincide with the introduction of the new aviation security regulatory framework under the proposed Aviation Security Act and Regulations. The Aviation Transport Security Bill 2003 was introduced into parliament on 28 March 2003 which provides the first step in the Government's overhaul of the aviation security policy framework. The Bill, together with Regulations that are currently being drafted, addresses the fundamental elements of Australia's aviation security regulatory arrangements and clarifies roles and responsibilities for the aviation industry, the Government and the travelling public.
- 38. The Bill provides the framework for implementing several key features of the 2002-2003 ANAO report relating to systems based auditing and a contemporary enforcement regime, as well as the Government's recent decisions on screening at airports and access control.
- 39. <u>Recommendations 3 and 4</u> relate to a need for greater accountability by all levels of industry in implementing aviation security standards, and a need to both educate and persuade industry to implement these standards. The Department fully recognises the benefit of adopting a more flexible approach to its compliance activities in terms of achieving enhanced aviation security outcomes, and the proposed Aviation Act and Regulations will provide a graduated range of enforcement options for the Department to consider and use at various levels in the industry.
- 40. As with Recommendation 2, appropriate systems, including manuals and guidance material, will be developed, as well as compliance training for staff and education of industry. Extensive consultation with industry is already taking place with regard to the new aviation safety regulatory arrangements due to commence next year.
- 41. <u>Recommendation 5</u> refers to a need for an enhanced information management system to improve industry compliance. The use of a modern and comprehensive management information system to organise, store and index security information, will form an important basis for the new systems based monitoring and industry compliance regime to be adopted by the Department.
- 42. Preliminary work on developing such a management information system had already commenced prior to the release of the 2002-2003 ANAO audit report in January this year, and the current budget includes \$1.5million over four years to further develop the system.

ANAO Recommendations 6 – Performance Indicators

- 43. *Recommendation 6* covers the development of aviation security performance indicators. The Department's position is that the development of a positive security culture requires encouragement of a continuous improvement approach to achieving aviation security outcomes, particularly with regard to the skills-based activities involved in passenger and baggage screening. Accordingly, one of the key aspects of the Management Information System discussed under Recommendation 5 above will be to effectively monitor the industry's continuous improvement in implementing Australia's aviation security standards.
- 44. Taking this into account, the Department will develop preliminary performance standards by the end of this calendar year. These indicators will reflect both national and

international expectations and standards, including those developed through the International Civil Aviation Organization (ICAO). Based on the Department's consultations with other organisations, it is expected that these indicators will further evolve over a period of time to take into account changes to the contemporary aviation security and regulatory environment.

ATTACHMENT 4

Airport Categorisation (from Explanatory Memorandum to the Aviation Transport Security Bill 2003)

Airport categorisation is an administrative process, performed by the Department, assessing the underlying potential (or risk) of an act of unlawful interference being committed at an airport. The risk of unlawful interference is not spread evenly across the whole of Australia. Rather, it is more concentrated at Australia's major airports and major centres of population. This represents one of the reasons why Sydney airport - being Australia's single largest hub airport and serving Australia's largest population centre - represents the airport with the highest assessed risk within Australia.

The practical effect of categorising an airport is to trigger a requirement for the operator of the airport to implement specific aviation security measures. These measures cascade, with category 1 providing the most robust and comprehensive mix of measures and resources for Australia's highest risk airports, tapering down to a more appropriate mix at the lower risk category 5 airports. Not every Australian airport is categorised. Rather, only those airports assessed to be subject to an aviation security risk, and hence assessed as needing to implement security measures, are categorised. By apportioning measures based on relative risk assessment, a more consistent level of security is achieved Australia-wide. At present, the Department uses a variety of information including jet passenger traffic for the airport to determine the aviation security risk presented by each airport.

A list of Australia's categorised airports is set out in the following table (an * denotes where passenger and accompanied baggage screening takes place):

Category Airport

<u>Category 1</u> (Australia's primary airports with over 3 million passengers)

Adelaide Airport * Sydney (Kingsford Smith) Airport* Brisbane Airport * Perth Airport* Melbourne Airport *

<u>Category 2</u> (Major network airports with between 450,000 and 3 million passengers per annum)

Cairns Airport * Canberra Airport * Coolangatta Airport * Darwin Airport *

Category 3 (large airports with between 250,000 and 450,000 passengers per annum)

Hobart Airport * Alice Springs Airport * Townsville Airport * Newcastle (Williamtown) Airport * Broome Airport * Launceston Airport * Norfolk Island Airport * Hamilton Island Airport * Port Hedland Airport * Ayers Rock Airport * Christmas Island Airport *

Category 4 (airports with between 50,000 and 250,000 passengers pa).

Ballina Airport * Coffs Harbour Airport * Maroochydore Airport * Proserpine Airport * Devonport Airport Kalgoorlie Airport * Kununurra Airport Rockhampton Airport * Gove Airport Karratha Airport * Mackay Airport * Mount Isa Airport *

Category 5 (airports with between 30,000 and 50,000 airline passengers pa.

Burnie Airport Groote Eylandt Airport Mildura Airport Newman Airport Paraburdoo Airport Weipa Airport