

MANUAL ON CUSTOMS CONTROL OF SMALL AERODROMES

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concerning this
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Control of Small Aerodromes

This Manual is to be read in conjunction with the Customs & Excise Enforcement Procedures Manual and the Civil Aviation Manual. Its purpose is to put in place a national framework for the assessment of risk at small aerodromes and thereby underpin the implementation of necessary controls.

1. General

A permanent customs presence is justified at larger airports. However, in keeping with international best practice, risk based controls are the most appropriate mechanism for managing any potential risks associated with other locations where traffic volumes do not justify a permanent resource. The control of these smaller aerodromes is the responsibility of the relevant Regions. Local management need to be mindful of the risk of smuggling at these locations and should designate Officers to have responsibility for control of individual aerodromes or other potential landing sites.

Only a small number of such sites are licensed as this is only necessary for commercial operations but officers need to examine and assess the risks from a customs perspective in respect of all potential landing sites in their area. In this regard, officers need to be aware of the importance of building relationships with operators and the local community.

2. Implications of the Single Market

Following the introduction of the Single Market, normal Customs controls do not generally apply in respect of intra-Community flights, unless:

- (i) Third country goods are carried on board;
- (ii) Stores are carried on board;
- (iii) Passengers who have originated in a non-EU country and not cleared at another EU airport are on board;
- (iv) Goods carried on board are being exported to a non-EU Member State; or
- (v) Customs intervention is necessary for purposes connected with the enforcement of a prohibition or restriction on importation or exportation.

The rules of the Single Market do not place constraints on the powers and responsibilities of Customs in respect of the enforcement of prohibitions and restrictions in general and the importance of combating the major threat of drug smuggling in particular. Officers should be aware of and constantly alert to their powers and responsibilities in this regard.

3. Boarding of aircraft used in intra-Community traffic

The boarding of aircraft used in intra-Community traffic is to be performed under the guidance of an Executive Officer in such manner as not to impede the free movement of goods and discharge of cargo. Any search or rummage of such aircraft should be

specifically authorised at HEO level. If scheduled passenger services are likely to be affected, specific authority at Assistant Principal level is required.

4. Aircraft Registers

Officers need to be aware of aircraft and persons of interest being in possession of or having access to aircraft within their area of responsibility. A register of Irish Civil Aircraft is maintained by the Irish Aviation Authority. A list of UK registered and deregistered aircraft is maintained by the UK Civil Aviation Authority. Other national aviation authorities have online registers of aircraft and these may further assist control officers.

5. Potential Landing Sites

Currently the Irish Aviation Authority recognises over 1,600 landing sites within Ireland and, although many of these have ceased to be used or see only intermittent traffic, there is a need for their existence to be known and for any associated risks to be properly assessed.

Many can be discounted with relative ease in terms of their actual level of associated risk but the remainder need to be reviewed and monitored with an appropriate frequency.

The Irish Aviation Authority has provided the Customs Drugs Law Enforcement Branch of IPD with full details of these sites and this data has been made available to regional representatives on the General Aviation Enforcement Group. District Managers can obtain access to this folder for additional staff by contacting CDLE.

6. Officers to establish contact with new aerodrome operators in Revenue Districts

Where there is a new aerodrome in a District, the designated Officer is to take an early opportunity of making him/herself known to the proprietor or official in charge of each aerodrome. The Officer should ensure that the aerodrome operator is aware of the need to obtain approval from Revenue in respect of international flights, including intra-Community traffic, and explain how the operator should obtain such approval. The Officer should also ensure that Customs notices are displayed, including notices relating to the Drugs Watch Programme.

7. Visits to existing aerodromes

Customs controls at the smaller aerodromes must provide an effective and efficient means of preventing the smuggling of prohibited goods in general and drugs in particular. Such controls should be carried out on the basis of risk assessed inspection visits.

Regions should ensure that each aerodrome is visited at irregular intervals but with sufficient frequency to confirm that aircraft are only engaged in the type of traffic for which specific permission has been given to the individual aerodrome and that no concerns or suspicions arise with regard to the operator or the users of the facility.

8. Frequency of visits

While it is important that all potential landing sites are monitored, it is recommended that active sites should receive at least two visits per year. Local management may increase or decrease this level in light of their risk assessment.

In respect of each active site, individual control plans are to be drawn up and signed off at Assistant Principal level. A record should be kept of all control visits and points of interest or concern should be reported to the Assistant Principal.

Close attention should be given to intra-Community flights using smaller aerodromes, care being taken to avoid any “blind spots” in coverage developing in possibly remote locations handling very occasional traffic.

9. Risk Rating

An Aviation Risk Analysis System Questionnaire is included at Appendix 1 and should assist in the preparation of risk assessments for individual aerodromes.

Care should be taken to ensure that the approach adopted to risk rating is not exclusively dependent on the particular view of such risks held by the local Enforcement Unit. While such Units may be best placed to have the necessary knowledge of individual aerodromes, this “local view” should always be tested against any wider national or international experience of smuggling patterns and risks. In this regard it is important that emerging trends or concerns are brought to the attention of the Customs Drugs Law Enforcement Branch and the Principal Officer Network – Drugs (POND).

The risk ratings attributed to all aerodromes should be reviewed each year and review should include a review of the adequacy of any Certificates of Agreement or Approval Conditions in the light of changing traffic volumes and patterns. Copies of risk assessments should be forwarded to Customs Drugs Law Enforcement Branch in IPD.

10. Other Controls

Officers should discuss identified sites or aerodromes with local Gardai where appropriate, as there should be a mutual awareness of any perceived risks and control strategies. In keeping with the Drugswatch programme contacts should be developed and maintained within the local community. Contact details, leaflets and any other relevant material should be distributed where appropriate. Site operators should be briefed on risks and risk indicators. An effective contact/liaison structure should be put in place with site operators and an agreed records maintenance regime established.

11. Regional Business Plans to include aerodrome controls

Plans for the control of aerodromes should be explicitly set out in the annual Regional Business Plans.

In particular, regional management need to be satisfied that sufficient controls are in place to ensure that, as far as is possible, there will be no risk to Revenue and that import or export prohibitions and restrictions will not be breached.

12. Memoranda of Understanding

As part of Revenue's ongoing trade facilitation initiative, an MOU (Memorandum Of Understanding) programme has been undertaken. Under this programme, a number of MOU's have been concluded with air transport operators and airport authorities. Such MOU's are agreed by the Investigations & Prosecutions Division, Customs Drugs Law Enforcement Branch, and on completion are serviced and monitored by nominated Customs Liaison Officers in the Regions.

These arrangements will already be known to enforcement staff but further details on these partnership agreements and the list of Customs Liaison Officers nominated to liaise with companies regarding MOU's can be obtained from Customs Drugs Law Enforcement Branch (tel: 01-8277697 or 24 hours a day on 087-2548201).

Regions should actively consider concluding MOU's with the operators of aerodromes where there are Third Country or intra-Community flights. A standard template that may be modified as necessary is at Appendix 2. Copies of all MOU's with aerodrome operators should be forwarded to Customs Drugs Law Enforcement Branch.

13. Concealment of goods in aircraft

Goods found concealed on board an aircraft are to be detained and the facts reported immediately to the Assistant Principal and the Anti-Fraud Unit, Bridgend. Additionally, aircraft on which such goods are found, in particular, drugs, explosives, firearms and ammunition may be detained on the authority of the Assistant Principal. Cognisance should be taken as to the circumstances in which the aircraft was used, e.g. chartered, hired, scheduled service, etc. when such action is being considered.

14. Aircraft constructed or adapted for smuggling

Any incidence of aircraft found to be constructed or adapted for smuggling by means of special contrivances or concealments, even where no actual goods are found on board, are to be reported immediately to Customs Drugs Law Enforcement Branch.

Officers should be mindful of the possible intelligence value of any such discovery, particularly if the aircraft operator is unaware of the detection.

Appendix 1 – Aviation Risk Analysis Questionnaire

The following material is either exempt from or not required to be published under the Freedom of Information Act 2014.

[...]

Appendix 2 – Draft Memorandum of Understanding

The following material is either exempt from or not required to be published under the Freedom of Information Act 2014.

[...]