



24 November 2016

Department of Transport, Tourism and Sport
Aviation Policy
Leeson Lane
Dublin 2

To whom it may concern

Shannon Airport Authority (SAA) welcomes the opportunity to comment on the following proposals.

1. Proposal for Legislative Amendment Concerning Aviation Security Regulations and Related Matters

SAA broadly welcomes many of the initiatives contained in the provisions of the proposals. In particular, SAA would like to acknowledge the Department's proposal in response to the challenges faced by the Airport in respect of ongoing airside breaches and trespass issues. The proposal made in this regard should, once implemented, go a long way to dissuading persons from similar actions in the future.

SAA would also like to make the following comments:

An amendment to the Irish Aviation Authority 1993, in Section 14 Subsection (1) to include a new paragraph (p) as follows,

“(p) the regulation of aviation security in the State, including requirements set out in the State National Civil Aviation Security Programme’

SAA does not support this amendment and in particular the imposition of fines as a penalty in the case of serious or recurrent deficiencies incurred by regulated entities in applying aviation security standards required under the provision. Such fines may be deemed punitive, not scalable to the size of the regulated entity and indeed, in the opinion of SAA, does not address the deficiency noted. SAA would advocate that compliance can be achieved through other non-financial means i.e. non-financial enforcement.

An Amendment to the Irish Aviation Authority 1993, in Section 44 Subsection to include a new subsection (3) as follows,

“(3) The services referred to in subsection (1) of this Section include aviation security regulation functions of the company as set out in under Section 14.”

SAA is of the opinion that the extension of Section 44 to allow for charges to be imposed for cost recovery for aviation security oversight should be restricted or controlled. The legislation as it is currently drafted permits the Company to charge such amounts as it considers appropriate which, in the opinion of SAA, is too broad a definition. Any such charges should at all times be kept to a minimum and not be excessive. Such costs should be transparent and benchmarked against costs incurred for similar services within the

State and EU. Charges applicable should reflect the size of the regulated entity and be proportionally charged against such entities taking account of the overall scale of the regulated agencies. Accordingly it is submitted that the proposed amendment should be modified to limit the charge and include reference to the proportionality of the charge to the size of the entity.

Request by the Company for a Ministerial order in matters concerning enforcement

“(1) The Company may request the Minister for an Order to be made concerning enforcement matters relating to its function as set out under Section 14 (1) (h) (iii) and compliance monitoring of the NCAPS in line with its responsibility set out under Section 14(1)(p)”

SAA does not support the imposition of financial penalties.

Offences and penalties relating to the operation and use of drones or lasers and powers to seize items used in breach

While SAA supports this initiative, it would query how additional powers can be given to “Authorised Officers” or law enforcement officers if not already in place to assist in the enforcement of this element of the legislation.

2. Consultation on EU Proposal for a Union Certification System for Aviation Security Screening Equipment

This consultation proposal has no material impact on SAA.

Yours faithfully



Matthew Thomas
Chief Executive Officer