

SAFETY INFORMATION 14/2022

8 November 2022



UNRULY PASSENGER ONBOARD FLIGHT INBOUND TO KUALA LUMPUR INTERNATIONAL AIRPORT

Purpose:

On 17 October 2022, a flight inbound to Kuala Lumpur International Airport (KLIA) had requested assistance due to a passenger exhibiting unruly behaviour. Upon receiving the information, aviation security personnel and a medical team were dispatched for immediate response. After the flight safely landed, the unruly passenger was detained. CAAM is monitoring this incident and shall provide updates if deemed necessary.

Following this, CAAM would like to remind all passengers that any act of unruly and disruptive behaviour is an offence under Malaysian law and strict action shall be taken.

Background:

Malaysia as a Contracting State to the Chicago Convention and Tokyo Convention has ratified both Conventions under the Civil Aviation Offences Act 1963. As such, by the virtue of Section 8 of the Act, the commander of an aircraft in flight is empowered to take reasonable measures against any act that jeopardize or may jeopardize –

- a) the safety of the aircraft or of persons or property on board the aircraft; or
- b) good order and discipline on board the aircraft.

In accordance with the National Civil Aviation Security Programme (NCASP) established under Regulation 7 of the Malaysian Civil Aviation (Security) Regulations 2019, unruly and disruptive passengers shall be defined as follows: -

Disruptive passenger - A passenger who fails to respect the rules of conduct at an airport or on board an aircraft or to follow the instructions of the airport staff or crew members and thereby disturbs the good order and discipline at an airport or on board the aircraft.

Unruly passengers - Persons who commit, on board a civil aircraft, from the moment when the aircraft door is closed prior to take-off to the moment when it is reopened after landing, an act of:

- a) assault, intimidation, menace, or wilful recklessness which endangers good order or the safety of property or persons;
- b) assault, intimidation, menace, or interference with a crew member in the performance of duties or which lessens the ability to perform duties;
- c) wilful recklessness or damage to an aircraft, its equipment, or attendant structures and equipment such as to endanger good order and the safety of the aircraft or its occupants;

- d) communication of information which is known to be false, thereby endangering the safety of an aircraft in flight; and
- e) disobedience of lawful commands or instructions for safe, orderly, or efficient operations.

Recommended Action:

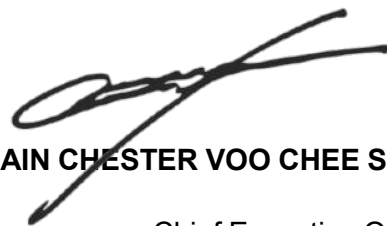
Measures to Contain Unruly and Disruptive Passengers

The requirement for screening under Regulations 16 and 17 of the Malaysian Civil Aviation (Security) Regulations 2019 is one of the preventive measures towards unruly and disruptive passengers. Screening is conducted via few methods such as using an x-ray machine (for passengers' baggage), a walk-through metal detector, and a physical search (frisking). Additionally, security personnel is allowed to perform random hand searches and conduct security questioning to the passengers. Refusal to cooperate with screening shall result in denial of passage.

All aircraft operators are required by the NCASP to impose security measures in-flight in order to prevent and restrain unruly and disruptive passengers. This may include any passengers that are showing any behaviour that is caused by intoxication, persons in the custody of law enforcement personnel, mentally disturbed persons under escort, deportees, and inadmissible persons.

Regulation 97, 98, 99, and 102 of the Malaysian Civil Aviation Regulations 2016 prohibits any acts of endangering the safety of an aircraft, causing an aircraft to endanger any person or property, drunkenness and intoxication in aircraft, and any disruptive acts while in an aircraft.

Passengers are advised to give full cooperation towards the security measures implemented. These are to ensure the safety of passengers, crew, ground personnel, and the general public in all matters related to safeguarding against acts of unlawful interference with civil aviation.



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8 November 2022