



## Secondary Verification Policy

### PLEASE READ THIS SECONDARY VERIFICATION POLICY CAREFULLY BEFORE USING THE WEBSITE

This secondary verification policy (this **Policy**) describes the procedure and additional steps that may need to be followed by (a) some individuals to complete their application to become or remain a 'digital certificate user' through the online platform for the Global Aircraft Trading System (**GATS**) currently hosted on the website, <http://e-gats.aero/> (the **Website**, and together with the GATS online platform, and all of the systems and architecture relating to it, the **GATS Platform**) in the event that such individual wishes to follow an alternative application or renewal process or has encountered an issue (including, among other reasons, if there was an issue verifying their identity, for example, if the photo is blurry or the identification document is damaged, or a person with their name appears on a sanctioned person database, watch list or other similar public domain database) with their application or renewal process, and (b) some legal entities if they are a GATS Entity or a Non-GATS Entity and there is a person matching that entity's details on a sanctioned person database, watch list or other similar public domain database.

This Policy was most recently updated on, and this version is effective as at, 1 June 2020.

This Policy applies to:

- Any person who is an individual accessing or using the GATS Platform for use in connection with that person's trade, business, craft or profession on behalf of a business which has its own legal identity separate from the legal identity of any individual or group or individuals (a **Business Individual**) applying to become or remain a 'digital certificate user' on the GATS Platform (a **Digital Certificate User**).
- Any person who is formed, incorporated or organised as a legal entity having its own legal identity separate from the legal identity of any individual or group or individuals (an **Entity**), accessing or using the GATS Platform by or through a Business Individual authorised on that Entity's behalf, and applying to become or renew your status as a GATS Entity or a Non-GATS Entity. If you are or are applying to become a GATS Entity, this Policy is without prejudice to any of AWG's rights under the GATS e-Terms.

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#### 1. ABOUT THE GATS PLATFORM, WHO WE ARE AND HOW TO CONTACT US

- 1.1 The GATS Platform and the GATS helpdesk is operated by Fexco Unlimited Company (**Fexco**) for the Aviation Working Group (**AWG, we, or us**).
- 1.2 AWG is a company limited by guarantee incorporated under the laws of Bermuda and has its registered office at Clarendon House, 2 Church Street, Hamilton HM11, Bermuda.
- 1.3 Fexco is an unlimited company incorporated under the laws of Ireland with company number 83934 and has its registered office at Fexco Centre, Iveragh Road, Killorglin, Co. Kerry, Ireland.
- 1.4 Persons accessing or using the GATS Platform may be referred to in this Policy as **you** and **your**, as applicable.
- 1.5 We may amend this Policy from time to time. Every time you wish to use the GATS Platform, please check this Policy to ensure you understand the terms that apply at that time.

- 1.6 To contact us or the GATS helpdesk, please email [helpdesk@e-gats.aero](mailto:helpdesk@e-gats.aero) or call the helpdesk number listed on the GATS Platform.

#### 2. BY USING THE GATS PLATFORM YOU ACCEPT THIS POLICY

- 2.1 By using the GATS Platform, you confirm that you accept the terms of this Policy.
- 2.2 If you do not agree to this Policy, you must not use the GATS Platform.
- 2.3 We recommend that you print a copy of this Policy for future reference.

#### 3. THERE ARE OTHER TERMS THAT MAY APPLY TO YOU

This Policy forms part of and is incorporated into the [Site Terms of Use](#) for the GATS Platform. The [Site Terms of Use](#) as well as other terms, policies, notices, disclaimers and schedules incorporated into the [Site Terms of Use](#) also apply to your use of the GATS Platform.

4. **APPLICABILITY OF CERTAIN PARAGRAPHS**

4.1 Paragraphs 5, 7 and 7 apply only if you are a Business Individual.

4.2 Paragraph 8 applies only if you are an Entity.

5. **ORDINARY PROCESS FOR BECOMING OR RENEWING YOUR STATUS AS A DIGITAL CERTIFICATE USER**

5.1 If you are a Business Individual and you have already successfully created an account on the GATS Platform (a **User Account**) as a basic user (a **Basic User**), you may apply through the GATS Platform to become a Digital Certificate User (a **Digital Certificate User**). Additionally, on or prior to each anniversary that you became a Digital Certificate User, you will be asked to renew your status as a Digital Certificate User.

5.2 More functionality is made available on the GATS Platform to Digital Certificate Users than to Basic Users.

5.3 To apply to become or renew your status as a Digital Certificate User:

(a) We and Fexco will need to verify and record evidence of your identity in order to complete the application process and for Fexco to issue you with a GATS Digital Certificate for use on the GATS Platform.

(b) You must confirm your agreement to the [GATS Digital Certificate Policy](#).

(c) You will be given a link and instructions on how to download a user verification application (the **Verification App**) to your smartphone or other smart device. You will then be asked if you consent to your identity being verified using the Verification App's biometric facial comparison software. You must, within 28 days from the time you download the Verification App, complete the following identification verification process:

(i) You must take a photo via the Verification App of either your current passport or current driving licence (an **Identification Document**). The Identification Document provided must contain data identifying you using the modern Latin alphabet. A series of automated checks will be run against the document to confirm its authenticity.

(ii) **If you consented** to your identity being verified using the Verification App's biometric facial comparison software, you must take a picture of yourself via the Verification App and upload it. Biometric facial comparison software will be applied to check the image on the 'selfie' against the photo on the Identification Document to confirm that these are the same..

(iii) **If you consented** to your identity being verified using the Verification App's biometric facial comparison software but you cannot complete the biometric facial comparison using the Verification App for reasons related to a **physical or other disability**, you must contact

the GATS helpdesk and you will be given instructions on how to complete the identity verification process manually using the alternative identification verification procedures in accordance with Paragraph 6 (the **Alternative Verification Procedure**)

(iv) **If you did not consent** to your identity being verified using the Verification App's biometric facial comparison software, you will be given instructions explaining how to complete the identity verification process manually without using your biometric data and without applying an automated process, pursuant to and in accordance with the Alternative Verification Procedure.

(d) In addition to verifying your identity as described in paragraphs (a) to (c) above, a series of checks will be run against your name with sanctioned person databases, watch lists and other public domain databases (**Sanctions Databases**) to obtain other information about you that is relevant to your application.

(e) You must pay the applicable GATS Fee, which is non-refundable, which will be payable whether or not your application to become a Digital Certificate User is successful. The amount of such GATS Fee (which may change from time to time) is determined by the [GATS Schedule of Fees](#).

5.4 Once you have submitted the application process to become or renew your status as a Digital Certificate User:

(a) Your application will be reviewed by Fexco to check the information you have provided and to review any other information provided to it by the Verification App and, if applicable, pursuant to Paragraph 6 below, and other databases accessible to it relating to your application.

(b) If your application is successful:

(i) if you are applying for the first time to become a Digital Certificate User, you will receive a link to complete the application process within 24 hours; or

(ii) if you are renewing your status as a Digital Certificate User, you will receive an email confirming that you have successfully renewed your status as a Digital Certificate User.

(c) If your application is not successful, your application will continue to be processed in accordance with Paragraph 7.

(d) The manner in which personal information that you provide will be processed and stored shall be as set out in the [AWG Privacy Policy](#) and the [Fexco Privacy Policy](#).

6. **ALTERNATIVE VERIFICATION PROCEDURE (INDIVIDUALS)**

6.1 Continuing your application

If advise the GATS helpdesk that you could not complete the biometric facial comparison for

reasons related to a physical or other disability or if you did not consent to your identity being verified using the Verification App’s biometric facial comparison software, after you provide a photo via the Verification App of your Identification Document in accordance with Paragraph 5.3(c)(i), you will be notified by email that your application is not yet complete and that additional verification steps are required to allow for a manual facial comparison to be carried out against your Identification Document (an **Alternative Verification Notice**). The Alternative Verification Notice will contain a verification code (a **Verification Code**) which you will need to complete your application.

6.2 Verification by email

Upon receiving an Alternative Verification Notice, if you wish to continue with your application, you must:

- (a) print the Verification Code in a legible, large font filling as much of the page as possible on an A4, US letter or similarly sized sheet of paper;
- (b) follow the instructions described in the Alternative Verification Notice which may include the following steps:
  - (i) take a picture of yourself, using your smartphone or other smart device, holding the sheet of paper containing the Verification Code;
  - (ii) take another picture of yourself, using your smartphone or other smart device, holding your Identification Document (in such a way that your photo and other details are clearly captured); and
  - (iii) send an email to [helpdesk@e-gats.aero](mailto:helpdesk@e-gats.aero) attaching the photo of yourself and the Verification Code and the photo of yourself and the Identification Document to the address described in the Alternative Verification Notice.

If anything in the Alternative Verification Notice conflicts or is inconsistent with the above steps, you should follow the instructions in the Alternative Verification Notice.

6.3 Determination

Once you have completed the steps described in Paragraph 6.2 above, your application will be processed in accordance with Paragraph 5.4 above (without the use of biometric facial comparison software).

7. **SECONDARY VERIFICATION PROCEDURES (INDIVIDUALS)**

7.1 Continuing your application

- (a) If, after submitting your application to become or renew your status as a Digital Certificate User, there is an issue with your application (including, among other reasons, if there was an issue verifying your identity, for example, if the photo is blurry or the Identification Document is damaged, or a person with your name appears on a sanctioned person database, watch list or other similar public domain

database), you will be notified by email that your application is not yet complete and that secondary verification steps may be required (a **Secondary Verification Notice**).

- (b) Upon receiving a Secondary Verification Notice, if you wish to continue with your application, you must:
  - (i) follow the instructions in the Secondary Verification Notice; and
  - (ii) if asked to do so in the Secondary Verification Notice, contact the GATS helpdesk by sending an email to [helpdesk@e-gats.aero](mailto:helpdesk@e-gats.aero) or by calling the helpdesk number listed on the GATS Platform.
- (c) The instructions in the Secondary Verification Notice and, if applicable, the GATS helpdesk will advise you of the nature of the issue and which of the procedures described in Paragraphs 7.2 to 7.6 (each, a **Secondary Verification Procedure**) must be followed if you want your application to continue.
- (d) More than one Secondary Verification Procedure may need to be followed (including, in some cases, following the same Secondary Verification Procedure more than once) for your application to continue.
- (e) If you do not follow all of the Secondary Verification Procedures you are asked to follow in the required timeframe, or follow such procedures but do not do so in accordance with any instructions you are provided with in the Secondary Verification Notice or by the GATS Helpdesk, your application cannot continue and you will not be able to become a Digital Certificate User.
- (f) No additional GATS Fee will be payable by you in connection with any Secondary Verification Procedure; however, you will be responsible for your and, where expressly stated, AWG’s, Fexco’s and any other applicable third party’s out of pocket expenses.

7.2 Resubmission through the Verification App

You may be asked to resubmit your application using the Verification App.

7.3 Complete the Alternative Verification Procedure

You may be asked to complete all or part of the Alternative Verification Procedure.

7.4 Provide an Authenticated ID Document

You may be asked to send to Fexco a colour copy of your Identification Document (together with a translation into English, if not in English), duly certified in English as being a true and complete of your original Identification Document by a notary in your country, such notarisation being apostilled or, if your country has not adopted the Hague Convention 1961 Abolishing the Requirement of Legalisation for Foreign Public Documents, legalised by the applicable government department in your country.

7.5 Further Information Request

You may be asked to send to Fexco further information or documentation or otherwise take further steps relating to your application in the form and manner directed (a **Further Information Request**).

#### 7.6 Referral to Final Determination

Your application may be referred to AWG for final determination. Upon being so referred, AWG may:

- (a) make a determination in accordance with Paragraph 7.7 below;
- (b) consult with Fexco in its role as the certificate authority who will determine whether the issuance of a GATS digital certificate to you for use on the GATS Platform would be in accordance with Fexco's legal obligations in relation to identity verification;
- (c) comply with a Further Information Request and, if the further information, documentation and actions provided or taken by you are, in AWG's and, where applicable, Fexco's sole discretion, insufficient for it to make a final determination, ask you to comply with one or more additional Further Information Requests; or
- (d) describe, in an email to you, what further action you need to take for a determination to be made in accordance with Paragraph 7.7 below, and what additional steps are available to you prior to the making of such determination.

#### 7.7 Determination

- (a) Once you have completed the applicable Secondary Verification Procedure(s), your application, together with any supporting documents and information you have provided in accordance with such Secondary Verification Procedures, will be reviewed by Fexco (and, where applicable, AWG), and you will be advised by email whether or not your application to become a Digital Certificate User is successful.
- (b) If it is determined that your application is successful, you will receive a link by email to complete the application process.
- (c) If your application is not successful, you will either:
  - (i) receive another Secondary Verification Notice and Paragraph 7.1 above will again apply; or
  - (ii) receive an email informing you that all applicable Secondary Verification Procedures have been followed and, unfortunately, you will not be able to become or remain a Digital Certificate User.
- (d) If your application is not successful and you have been sent an email in accordance with Paragraph 7.7(c)(ii) above, your application to become or renew your status as a Digital Certificate User will be terminated and we may suspend or terminate your User Account.

### 8. SANCTIONS CHECKING AGAINST ENTITIES

#### 8.1 Sanctions Requirement

- (a) No Entity shall become or remain a Non-GATS Entity or a GATS Entity, unless it appears to AWG that, acting in its sole discretion, neither it nor any of its directors, officers or employees nor any Basic User or Digital Certificate User associated or proposed to be associated with it appears on any Sanctions Database (the **Sanctions Requirement**).

- (b) Prior to completing your application to create an Entity Profile, and prior each anniversary that you became a GATS Entity or a Non-GATS Entity and prior to any changes to your Entity Profile taking effect, a series of checks will be run against the Entity's name with one or more Sanction Databases to obtain other information about you that is relevant to your application.

#### 8.2 If there is a possible match

- (a) In the event that an entity matching your Entity details appears on any Sanctions Database or that it otherwise appears that you do not meet the Sanctions Requirement, you will be notified by email that your application is not yet complete, your Entity Profile has been suspended or the changes to your Entity Profile have not yet taken effect, as applicable, and that your application or right to continue to access and use the GATS Platform will be resolved in accordance with the remainder of this Paragraph 8 (an **Entity Verification Notice**).

- (b) Upon receiving an Entity Verification Notice, if you wish to continue with your application:

- (i) you will be asked to comply with a Further Information Request which may be set out in the Entity Verification Notice or send by email to you in a separate email;
- (ii) you must follow the other instructions in the Entity Verification Notice; and
- (iii) if asked to do so in the Entity Verification Notice, a Business Individual associated with your Entity with 'Administrator' privilege status or, if you are in the process of creating your Entity Profile, one of the Business Individuals applying to create your Entity Profile, must contact the GATS helpdesk by sending an email to [helpdesk@e-gats.aero](mailto:helpdesk@e-gats.aero) or by calling the helpdesk number listed on the GATS Platform.

- (c) If you do not comply with the Further Information Request, in the form and manner directed and in the required timeframe:

- (i) If you are applying to become a GATS Entity or a Non-GATS Entity, your application will be terminated and will not be permitted to create an Entity Profile;
- (ii) If you already have an Entity Profile, we may suspend, continue to suspend or terminate your Entity Profile.

- (d) No GATS Fee will be payable by you in connection with any of the procedures described in this paragraph ; however, you will be responsible for your and, where expressly stated, AWG's, Fexco's

and any other applicable third party's out of pocket expenses.

8.3 Determination

- (a) Once you have complied with Paragraph 8.2 above and the Further Information Request communicated to you, your application, together with any supporting documents and information you have provided in accordance with such Further Information Request, will be reviewed by Fexco (and, where applicable, AWG), and you will be advised by email whether or not your application has been successful or, as applicable, whether or not you may continue to access and use the GATS Platform.
- (b) If it is determined that you meet the Sanctions Requirement, your Entity Profile will be activated or reactivated.
- (c) If it is determined that you do not meet the Sanctions Requirement, you will either:
  - (i) receive another Entity Verification Notice and Paragraph 8.2 above will again apply; or
  - (ii) receive an email informing you that, unfortunately, your application will be terminated and will not be permitted to create an Entity Profile or, as applicable, your Entity Profile has been terminated in accordance with paragraph 15.2 or 15.3, as applicable, of the [Site Terms of Use](#).

END OF DOCUMENT.