



WORKING PAPER

DANGEROUS GOODS PANEL (DGP)

TWENTY-FIFTH MEETING

Montréal, 19 to 30 October 2015

Agenda Item 2: Development of recommendations for amendments to the *Technical Instructions for the Safe Transport of Dangerous Goods by Air (Doc 9284)* for incorporation in the 2017-2018 Edition

REPORTING OF DANGEROUS GOODS IN PASSENGER AND CREW BAGGAGE

(Presented by D. Brennan)

SUMMARY

This working paper proposes a revision to Part 7;4.5 to clarify that operators are only responsible for reporting where dangerous goods not permitted by Part 8;1.1.1 are found in passenger or crew baggage when the operator actually detects the dangerous goods, or where the operator is provided with information by the entity that detects the dangerous goods

Action by the DGP: The DGP is invited to agree to the amendments proposed in the appendix to this working paper.

1. INTRODUCTION

1.1 Included within Part 7;4.5 – reporting of undeclared or misdeclared dangerous goods is a requirement for the operator to report to the appropriate national authority of the State of occurrence any occasion when dangerous goods not permitted under Part 8;1.1.1 are discovered either in the baggage or on the person of passengers or crew members.

1.2 While the principle of requiring the operator to report such occurrences is sound, in practice requiring the operator to submit reports is problematic as most of dangerous goods detected in passenger and crew baggage are not discovered by the airline, but rather by agencies performing baggage, passenger and crew screening as part of the aviation security program.

1.3 In most States the responsibility for screening of checked and carry-on baggage and of passengers and crew rests either directly with a government aviation security agency or with agencies that

are contracted by the airport operator as part of the airport operator's responsibility under national aviation security regulations.

1.4 The issue here is that these agencies have no legislated responsibility to advise the operators when they do detect dangerous goods not permitted in baggage, and in many cases no responsibility at all to detect and remove dangerous goods from passenger and crew baggage.

1.5 The end result is an obligation has been placed on operators to report events of which they may have no knowledge and which are outside their control.

1.6 From a pure safety management systems perspective there is value in operators and authorities being able to identify the incidence and type of dangerous goods not permitted by Part 8;1.1.1 that are carried by passenger and crew. However, the existing requirement is not workable and needs revision.

1.7 It is proposed to revise Part 7;4.5 to limit the obligation on the operator to report to occasions where the operators actually detect the dangerous goods, or where the operator is specifically made aware of the details of dangerous goods that are detected by a third-party.

1.8 Here it is believed that there should be consideration given to requiring, or at least recommending, that there be direct communication between the appropriate national authorities responsible for aviation security and for civil aviation so that information on dangerous goods not permitted by the Technical Instructions but detected in passenger and crew baggage is provided to the civil aviation authority.

1.9 On this last point, the Technical Instructions already contains recommendations in Part 1;7 that entities other than operators should follow the reporting requirements of Part 7;4.5 where dangerous goods are discovered, although this paragraph does not specifically address dangerous goods found in passenger or crew baggage.

1.10 To address this gap it is proposed to revise Part 1;7 to include reference to reporting where dangerous goods not permitted by Part 8;1.1.1 are found in passenger or crew baggage.

2. ACTION BY THE DGP

2.1 The DGP is invited to agree to the amendments proposed in the appendix to this working paper.

APPENDIX

PROPOSED AMENDMENT TO PART 1 OF THE TECHNICAL INSTRUCTIONS

Part 1

GENERAL

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Chapter 7

INCIDENT AND ACCIDENT REPORTING

Entities other than operators who are in possession of dangerous goods at the time a dangerous goods accident or incident occurs or at the time a dangerous goods incident is discovered to have occurred should follow the reporting requirements of Part 7;4.4. Entities other than operators who discover undeclared or misdeclared dangerous goods should follow the reporting requirements of Part 7;4.5. Entities other than operators should also report in accordance with the requirements of 7;4.5 any occasion when dangerous goods not permitted under 8;1.1.1 are discovered, either in baggage or on the person, of passengers or crew members. These entities may include, but are not limited to, freight forwarders, customs authorities and security screening providers.

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Part 7

OPERATOR'S RESPONSIBILITIES

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Chapter 4

PROVISION OF INFORMATION

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4.1 INFORMATION TO THE PILOT-IN-COMMAND

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4.5 REPORTING OF UNDECLARED OR MISDECLARED DANGEROUS GOODS

An operator must report any occasion when undeclared or misdeclared dangerous goods are discovered in cargo or mail. Such a report must be made to the appropriate authorities of the State of the Operator and the State in which this occurred. An operator must also report any occasion when dangerous goods not permitted under 8;1.1.1 are discovered by the operator, or the operator is advised by the entity that discovers the dangerous goods, either in the baggage or on the person, of passengers or crew members. Such a report must be made to the appropriate authority of the State in which this occurred.

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