



## **DANGEROUS GOODS PANEL (DGP) MEETING OF THE WORKING GROUP OF THE WHOLE**

### **TWENTY-SECOND MEETING**

**Montréal, 21 to 25 November 2022**

#### **Agenda Item 9: Coordination with other panels 9.1: Flight Operations Panels (FLTOSP)**

#### **GUIDANCE ON THE APPLICATION OF THE DEFINITION OF PASSENGER AIRCRAFT**

(Presented by the Secretary)

##### **SUMMARY**

This information paper is related to DGP-WG/22-WP/17. It contains guidance material developed by the Secretariat, in coordination with the Dangerous Goods Panel (DGP) and the Flight Operations Panel (FLTOSP), on the application of the definition of passenger aircraft.

### **1. INTRODUCTION**

1.1 DGP-WG/22-WP/17 recounts the decision of the Air Navigation Commission (ANC) not to approve a Dangerous Goods Panel (DGP) proposed revision to the definition for passenger aircraft. It also recounts the ANC's tasking of the Secretariat to develop guidance on the application of the definition as an interim measure while awaiting for advice from the Flight Operations Panel (FLTOSP) Safe Carriage of Goods-Specific Working Group (SCG-SWG). The working paper states that neither action had been taken to date.

1.2 The Secretariat did develop guidance on the application of the definition in coordination with FLTOSP and DGP at the beginning of the COVID-19 pandemic amid concerns that the definition would affect the repositioning of flight crew on cargo aircraft carrying dangerous goods not permitted on passenger aircraft. Its intent was to address these immediate concerns while also addressing the concerns raised by the DGP. The Secretariat further modified the guidance when flight operations began turning back to normal so that it no longer specific to COVID-19. It is published on the ICAO Operations normal public website (<https://www.icao.int/safety/OPS/OPS-Normal/Pages/Personsonboard.aspx>) and reproduced in the appendix to this working paper.



## APPENDIX

### **GUIDANCE ON PERSONS ON BOARD A CARGO-ONLY AIRCRAFT CARRYING DANGEROUS GOODS NOT PERMITTED ON A PASSENGER-CARRYING AIRCRAFT**

ICAO has been made aware that some States are restricting certain people on board cargo-only aircraft transporting dangerous goods not permitted on passenger-carrying aircraft. These restrictions have been based on their interpretation of definitions for passenger and cargo aircraft contained in Annex 18 and the Technical Instructions. There are concerns that the restrictions will further impede the ability of operators to position crew.

Annex 18 should not be interpreted to prohibit or limit positioning of crew on an operator's cargo aircraft carrying dangerous goods not permitted on passenger aircraft. This includes personnel that may not be assigned operational duties on the specific flight, such as repositioning flight and cabin crew, loadmasters and maintenance personnel.

The definitions for passenger and cargo aircraft are included in Annex 18 and the Technical Instructions for the purpose of distinguishing between the types and quantities of dangerous goods permitted on a cargo versus a passenger-carrying aircraft. The carriage of passengers on an aircraft is governed by the Standards in Annex 6.

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