



## **DANGEROUS GOODS PANEL (DGP)**

### **THIRTIETH MEETING**

**Montréal, 6 to 10 October 2025**

**Agenda Item 5: Clarifying State oversight responsibilities in Annex 18 (Ref: Job Card DGP.005.05)**

### **PROPOSED AMENDMENT TO THE STANDARDS IN THE DRAFT AMENDMENT TO ANNEX 18 AND IN THE TECHNICAL INSTRUCTIONS REGARDING REPORTING REQUIREMENTS**

(Presented by D. Schlichting)

#### **SUMMARY**

This information paper is a partner document to DGP/30-WP/33. After the submission of WP/33 to the Secretariat, the DGP-WG/Annex 18 made changes to the text that WP/33 was addressing. This IP is an update to the recommended amendment to Annex 18 to reflect the changes adopted by the WG/Annex 18.

**Action by the DGP:** The DGP is invited to:

- a) consider amending the SARPs in the proposed amendment to Annex 18 related to operator requirements to report the discovery of undeclared or misdeclared dangerous goods in cargo or mail and dangerous goods not permitted to be carried by passengers or crew in baggage or on the person in accordance with Appendix A of this information paper;
- b) include the amendment with the amendments to Annex 18 developed under Agenda Item 5 of this meeting for onward submission to the Air Navigation Commission for its review; and
- c) consider amending the language in the related topics within the Technical Instructions in accordance with Appendix B of this paper.

## **1. INTRODUCTION**

1.1 DGP/30-WP/33 proposes to extend the requirements in the draft amendment to Annex 18 to require operators to report the discovery of undeclared or misdeclared dangerous goods in cargo or mail and dangerous goods not permitted to be carried by passengers or crew in baggage or on the person

to additional States. A corresponding revision to the Technical Instructions would need to be made should the panel agree to this proposed amendment.

1.2 That working paper is a follow up on discussions of reporting requirements that were held at the Annex 18 Working Group meeting in Dubai in May of 2024. At that time, the changes proposed here were discussed among the attendees at the working group meeting, and there was general consensus to incorporate them. However, since the proposed changes are more than editorial in nature, it was noted that a working paper was required to be presented at the panel meeting so that the full panel could consider and discuss the proposed changes to the language in the previously agreed upon draft amendment to Annex 18.

1.3 In a review of Annex 19 – Safety Management, the purpose of reporting is to provide safety data to the States which they then use to maintain or improve safety. To be armed with the information needed to identify hazards and address safety issues where they occur, the State where the error occurred needs to be made aware, arguably more so than the State where it was discovered. If trends are identified that there are regular and/or repeated irregularities within a particular State, it is important that the State of Origin be made aware so that it can take steps to rectify the problem at its source, as opposed to simply making the State(s) of discovery aware, which may result in prohibitions without hazard resolution. The amendment to Annex 18, Chapter 10 – Dangerous Goods Safety Intelligence, 10.1.1.c) and d), provided in Appendix A to this working paper is therefore proposed to include the State of Origin as one of the States for which the operator must report undeclared or misdeclared dangerous goods discovered in cargo or mail.

1.4 Additionally, the draft amendment to Annex 18 includes a similar Standard requiring an operator to report occasions when dangerous goods not permitted to be carried by passengers or crew members are discovered to the appropriate national authority of the State in which this occurred. Unlike the reporting requirement for undeclared or misdeclared dangerous goods, there may be ambiguity in the current language as to which State should be notified, as the current language requires the operator to report occurrences “...to the appropriate national authority of the State in which this occurred.” It is unclear whether “this occurred” is the carrying onto the aircraft or the discovery. Additionally, the requirement is only to report to the State in which it occurred, and not the State of the Operator. It is recommended to clarify that this requirement is to report to the State where this was discovered, as well as add the State of the Operator and the State where the passenger or crew member carried the dangerous goods aboard the airplane. Of the three proposed States to be notified, the State where the dangerous goods were discovered is arguably the least important of the three to be notified. The State of the Operator can increase oversight to the operator’s procedures to help prevent the introduction of prohibited items, increase assessment, or prescribe methods to resolve hazards. If trends are identified that a particular State has regular and/or repeated irregularities with passengers and crew, it is important that the State where they boarded be made aware so that it can take steps to rectify the problem at its source, as opposed to simply making the State(s) of discovery aware, which may result in prohibitions without hazard resolution. The amendment to Annex 18, Chapter 10 – Dangerous Goods Safety Intelligence, 10.1.1.f), provided in Appendix A to this working paper is therefore proposed to include the State of Origin and the State where the passenger or crew member carried the dangerous goods aboard the aircraft as States for which the operator must report occasions when dangerous goods not permitted to be carried by passengers or crew members are discovered.

1.5 Corresponding amendments to the language in the Technical Instructions would need to be made should the panel agree to the amendments proposed in Appendix A of this paper. The amendments made to the draft amendment to Annex 18 by the WG/Annex 18 were the result of changes proposed to the definitions of Misdeclared Dangerous Goods and Undeclared Dangerous Goods. Those changes to the definitions have not yet been proposed to the Technical Instructions. As such, the

proposed amendment to the Technical Instructions in Appendix B of the IP seeks to bring the reporting requirements of the Technical Instructions into alignment with the proposed amendment to Annex 18.

1.6 Additionally, changes to the language in the Technical Instructions are proposed to align with the language proposed in the draft Annex 18, and to align the term of a singular “national authority” per existing 2.7 of the current Annex 18 and proposed 3.1 of the Annex 18 amendment. The reporting is to “States” plural, but the national authority within each State is singular. If, however, the existing plural/singular reference to national authority/authorities in the Technical Instructions is to be kept, then it is recommended to change the language in the draft Annex 18 amendment to align. The amendments to the Technical Instructions are proposed in Appendix B of this paper.

## 2. ACTION BY THE DGP

2.1 The DGP is invited to agree to:

- a) consider amending the SARPs in Annex 18 related to operator requirements to report the discovery of undeclared or misdeclared dangerous goods in cargo or mail and dangerous goods not permitted to be carried by passengers or crew in baggage or on the person in accordance with Appendix A of this information paper;
- b) include the amendment with the amendments to Annex 18 developed under Agenda Item 5 of this meeting for onward submission to the Air Navigation Commission for its review; and
- c) consider amending the language in the related topics within the Technical Instructions in accordance with Appendix B of this paper.

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## APPENDIX A

### PROPOSED REVISIONS TO AMENDMENT TO ANNEX 18 TO CLARIFY STATES' RESPONSIBILITIES WITH RESPECT TO THE SAFE TRANSPORT OF DANGEROUS GOODS BY AIR

#### Chapter 10

#### DANGEROUS GOODS SAFETY INTELLIGENCE

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##### 10.1.1 Mandatory safety reporting system

10.1.1 States shall require the operator to report:

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- c) occasions when undeclared dangerous goods are discovered in cargo or mail to the appropriate national authority of the State in which they were discovered ~~and~~, the State of the Operator, and the State of Origin;
- d) occasions when misdeclared dangerous goods are discovered in cargo or mail, other than those discovered during the acceptance check required by 6.3.3.1, to the appropriate national authority of the State in which they were discovered ~~and~~, the State of the Operator, and the State of Origin;

...

- ~~d~~f) occasions when dangerous goods not permitted to be carried by passengers or crew members are discovered in baggage or on the person to the appropriate national authority of the State in which this was discovered, the State of the Operator, and the State where the passenger or crew boarded the aircraft;

*Note 1.— 10.1.1 ~~d~~f) includes occasions when the operator discovers dangerous goods not permitted to be carried by passengers or crew and when the operator is advised they were discovered by another entity.*

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## **APPENDIX B**

### **PROPOSED AMENDMENT TO REPORTING REQUIREMENTS IN THE TECHNICAL INSTRUCTIONS**

#### **Part 7**

#### **OPERATOR'S RESPONSIBILITIES**

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#### **Chapter 4**

#### **PROVISION OF INFORMATION**

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##### **4.5 REPORTING OF UNDECLARED OR MISDECLARED DANGEROUS GOODS**

4.5.1 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 national authority of the State in which they were discovered, the State of the Operator and the State of Origin.

4.5.2 An operator must 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 national authority of the State in which this was discovered, the State of the Operator and the State where the passenger or crew boarded the aircraft.

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