



**WORKING PAPER**

**DANGEROUS GOODS PANEL (DGP)  
WORKING GROUP MEETING (DGP-WG/26)**

**Centurion, South Africa, 26 to 30 October 2026**

**Agenda Item 4: Managing safety risks posed by the carriage of energy storage devices by air (Ref: Job Card DGP.006)**

**SPECIAL PROVISIONS A88 AND A99**

(Presented by H. North)

**SUMMARY**

This working paper revisits the topic of State of Operator approvals in accordance with Special Provisions A88 and A99 currently specified in the *Technical Instructions for the Safe Transport of Dangerous Goods by Air* (Doc 9284) which were introduced in the 2021-2022 edition. This paper seeks to clarify from DGP members which entity/entities the State of Origin and State of Operator should issue an approval to – the shipper, operator or both.

Action by the DGP-WG is in paragraph 3.

**1. INTRODUCTION**

1.1 At the twenty-seventh meeting of the Dangerous Goods Panel (DGP/27), amendments were made to Special Provisions A88 and A99 to add the State of Operator to the approval process (which was agreed in principle at the 2019 meeting of the Dangerous Goods Panel Working Group (DGP-WG/19). Paragraph 2.2.4 of DGP/27 report states:

2.2.4.1 Amendments to Special Provisions A88 (provisions to transport pre-production prototypes and low production run lithium batteries that have not been subject to UN testing) and A99 (provisions to transport lithium batteries larger than 35 kg) were proposed to require approval from the State of the Operator in addition to the State of Origin. The proposal had originally been made at DGP-WG/19 in conjunction with a proposal for a new packing instruction allowing for large packaging for lithium batteries (see paragraph 3.2.2.3 of the DGP-WG/19 report). Adding the State of the Operator to the approval process was agreed in principle at DGP-WG/19, but allowing for large packaging could not be agreed without further consultation with experts. The two issues were discussed separately at DGP/27 (see paragraph 10.3.2 of the report under Agenda Item 10 for discussion on the proposal for large packagings).

2.2.4.2 With regard to the States involved in the approval process, there were some who believed State of Destination should be included in addition to the State of Origin and of the Operator, on the basis that approval for transport on passenger aircraft of smaller lithium batteries that had passed the UN tests was required from these three States in accordance with Special Provision A201. It was suggested any decision should be based on a set of criteria, and the lack of such criteria resulted in differences of opinion. Most considered requiring the State of Origin and the State of the Operator to be adequate, recognizing that this was more than what was currently required. The State of the Operator would be familiar with the operator's capabilities and therefore be an important contributor to the approval process. The amendment was agreed.

1.2 Special Provisions A88 and A99 both require that an approval is issued by the State of Origin and State of Operator when lithium and or sodium ion batteries (and/or cells) are carried in accordance with them. However, neither special provision identifies which entity or entities should be approved by either the State of Origin or State of Operator, which has led to confusion for shippers, operators and civil aviation authorities. The purpose of this paper is to understand and if necessary, identify the roles and responsibilities for shippers, operators and NAAs in association with Special Provision A88 and A99 approvals to ensure that the purpose of the amendment agreed at DGP/27 is fully met.

## 2. CURRENT CONSIDERATIONS

2.1 Operators approved to carry dangerous goods are subject to oversight of their activities, operations manuals/procedures and risk assessments by the State of the Operator (in accordance with Annex 18 and the Technical Instructions).

2.2 Shippers offering lithium and/or sodium batteries/cells for transport are not subject to the same oversight activities by the State of Origin or State of Operator.

2.3 Attachment I to Chapter 1 in the Supplement – Guidance for Processing Exemptions and Approvals for the Safe Transport of Dangerous Goods by Air, under “Who must obtain an exemption or approval?”, states:

**Who must obtain an exemption or approval?**

The responsibility for obtaining an approval or exemption may rest with the operator or with the shipper or with both depending on the nature of the request and on State procedures. ...

This guidance does not state which entity should receive the approval, only who may be responsible for obtaining it.

## 3. ACTION BY THE DGP-WG

3.1 The DGP-WG is invited to:

- a) discuss which entity/entities should be approved by the State of Origin and State of Operator for Special Provision A88 and A99 approvals;
- b) discuss if it is appropriate for the State of Operator to issue another approval to the operator, despite the operator already being subject to approval and oversight

activities to carry dangerous goods by air as per Annex 18 and the Technical Instructions;

- c) discuss if the State of Operator should only issue an approval to the shipper, to ensure that the shipper has met an overall level of safety in transport which is equivalent to the level of safety in accordance with the Technical Instructions (in accordance with Part 1;1.1.2), before offering lithium or sodium ion batteries/cells for transport with an operator which that State has approved to carry dangerous goods; and
- d) indicate whether there is interest in developing further guidance for inclusion in the Supplement or Special Provisions A88 and A99 regarding the above.

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