

**WORKING PAPER**

**DANGEROUS GOODS PANEL (DGP)  
WORKING GROUP MEETING (DGP-WG/24)**

**Montreal, 21 to 25 October 2024**

**Agenda Item 3: Facilitating safe transport of dangerous goods by air (Ref: REC-A-DGS-2027)**

**GUIDANCE ON THE DEVELOPMENT OF STATE VARIATIONS**

(Presented by B. Firkins)

**SUMMARY**

This discussion paper seeks a pathway to develop guidance to States in the formulation of State variations.

**Action by the DGP-WG:** Action by the DGP-WG is in paragraph 2.

**1. INTRODUCTION**

1.1 Annex 18 — *The Safe Transport of Dangerous Goods by Air* provides for States to notify ICAO when it adopts different provisions from those specified in the Technical Instructions as a State variation. State variations are subsequently published in Attachment 3 of the Technical Instructions.

1.2 State variations are generally constructed with the intent of improving safety. It is a very infrequent activity that the author will undertake.

1.3 The DGP Secretariat does engage with States when requests for variations are submitted and provides guidance to those States where the readability of the variation can be improved.

1.4 Once published in the Technical Instructions, variations are reproduced in the IATA Dangerous Goods Regulations. This is often when questions about the practical intent of the variation arise and the impact upon global transportation of dangerous goods is considered.

1.5 It is proposed to develop some guidance material for States, which should:

- a) assist in reducing the workload of the ICAO Secretariat;
- b) encourage an open and collaborative approach to aviation safety;
- c) assist with improving consistency in the structure of the variations; and

- d) retain flexibility and autonomy for States.

1.6 The guidance is proposed to be included in the Supplement as a new paragraph 1.5 in Part S-1, Chapter 1 and, initially, is proposed to be conceptual and high level. It might include:

- a) the types of matters that are appropriate for publication in the Technical Instructions;
- b) stakeholder engagement (for example, concurrently reaching out to ICAO and IATA in addition to the normal consultation that a State undertakes with the affected Stakeholders in their own State);
- c) amending, cancelling and creating variations (the preference, given the degree of cross-referencing of State Variations to relevant sections of the Technical Instructions and the DGRs is that:
  - 1) variations are not renumbered;
  - 2) cancelled variations become “not used”; and
  - 3) amended variations should still be relevant to the previous subject material).
- d) principles when constructing variations (use short sentences; avoid the legal language of the Technical Instructions; avoid double and triple negatives);
- e) technical matters which are appropriate for inclusion within a variation (technical matters worth including are those that improve the safety of, and confidence in, the international supply chain); and
- f) matters which are not appropriate for consideration are requirements that increase the administration burden without adding overall value to the safety of the supply chain.

## 2. ACTION BY THE DGP-WG

2.1 The DGP-WG is invited to provide comments on the proposal and, if it is generally supported, to work with the author and the DGP Secretary to develop proposed text for consideration at DGP-WG/25.

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