



**DANGEROUS GOODS PANEL (DGP)
WORKING GROUP MEETING (DGP-WG/25)**

Delhi, India, 21 to 25 April 2025

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

**AMENDMENT TO ANNEX 18 TO CLARIFY STATES' RESPONSIBILITIES WITH RESPECT
TO THE SAFE TRANSPORT OF DANGEROUS GOODS**

(Presented by the Secretary)

SUMMARY

This information paper presents:

- a) revisions to the proposed amendment to Annex 18 – *The Safe Transport of Dangerous Goods by Air* made by DGP-WG/Annex 18 since the 2024 DGP Working Group Meeting (Montreal, 21 to 25 October 2024) (DGP-WG/24) (see Appendix A to this working paper);
- b) the proposed amendments compared against current Annex 18 (see Appendix B to this working paper (see Appendix B to this working paper); and
- c) consequential proposed amendments to Annex 6 – *Operation of Aircraft* (see Appendix C to this working paper).

APPENDIX A

REVISIONS TO DRAFT AMENDMENT PRESENTED AT DGP-WG/24

FOREWORD

Historical background

The provisions of Annex 18 govern the international transport of dangerous goods by air. They were developed by the Air Navigation Commission in response to a need expressed by Contracting States for an internationally agreed set of provisions governing the safe transport of dangerous goods by air. They were originally adopted by Council on 26 June 1981 and became applicable on 1 January 1984.

The significant growth and complexity in air cargo operations since Annex 18 was first adopted necessitates the implementation of the same proactive strategy to improve safety performance needed in other aviation sectors through the State safety programme (SSP). Accordingly, provisions aimed at ensuring States integrate dangerous goods operations within their SSP were adopted by Council on ... 2026 through Amendment 13. The provisions provide clarity and sufficient detail to effectively outline States' responsibilities with respect to the safe transport of dangerous goods by air and the interrelationship of responsibilities between dangerous goods and other aviation activities.

Relationship with the *Technical Instructions for the Safe Transport of Dangerous Goods by Air* (Doc 9284)

The broad provisions of this Annex are amplified by the detailed specifications of the *Technical Instructions for the Safe Transport of Dangerous Goods by Air* (Doc 9284) (Technical Instructions). The provisions of the Technical Instructions are based on recommendations on the transport of dangerous goods developed for all modes of transport by the United Nations Economic and Social Council's Committee of Experts on the Transport of Dangerous Goods. The intent of using this common base by all modes of transport is to allow cargo to be transferred safely and smoothly between air, sea, rail, and road modes. Modifications from these recommendations are made in the Technical Instructions to address specific aviation needs while keeping in mind the need to ensure modal compatibility.

Status of the Technical Instructions *for the Safe Transport of Dangerous Goods by Air* (Doc 9284)

The detailed requirements of the Technical Instructions are considered binding on a State by virtue of 2.3.1.1 of this Annex unless it has notified a difference to this provision under Article 38 of the Convention.

Amendments to Annex 18 and the Technical Instructions

Annex 18 is intended to contain stable material requiring only minor amendments using the normal Annex amendment process. The Technical Instructions require more substantial and frequent amendments to keep up with day-to-day operational use.

The Air Navigation Commission established the Dangerous Goods Panel (DGP) and tasked it with maintaining the Technical Instructions. The DGP meets periodically to review comments received from States and interested international organizations, to consider any changed recommendations of the United Nations Committee, to address safety and facilitation issues specific to air transport and to prepare revised editions of the Technical Instructions. Amendments recommended by the DGP are published in panel meeting reports and made available on www.icao.int/safety/DangerousGoods.

Amendments recommended by the DGP are reviewed by the Air Navigation Commission and approved, issued and amended by the Council. Action taken by the Air Navigation Commission or the Council on the recommendations is published in the Supplement to DGP meeting reports and made available on www.icao.int/safety/DangerousGoods/.

A new edition of the Technical Instructions is published every two years. Amendments to the Technical Instructions during the specific period of applicability of an edition of the document may also be published if deemed necessary. Amendments during the specific period of applicability are made available on www.icao.int/safety/dangerous goods.

Guidance

Guidance to States on the implementation of Annex 18 is contained in *Oversight and Management of the Safe Transport of Dangerous Goods by Air Manual (Doc xxxxx, forthcoming)*.

The Technical Instructions are supported by the *Supplement to the Technical Instructions for the Safe Transport of Dangerous Goods by Air* (Doc 9284). The Supplement contains guidance to assist States when considering authorizations to transport dangerous goods by air that the Technical Instructions forbid under normal circumstances through approvals or exemptions.

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INTERNATIONAL STANDARDS AND RECOMMENDED PRACTICES

CHAPTER 1. DEFINITIONS

When the following terms are used in this Annex, they have the following meanings:

Approval. An authorization granted by an appropriate national authority for:

- a) the transport of dangerous goods forbidden on passenger and/or cargo aircraft where the Technical Instructions state that such goods may be carried with an approval; or
- b) other purposes as provided for in the Technical Instructions.

Note.— *In the absence of a specific reference in the Technical Instructions allowing the granting of an approval, an exemption may be sought.*

Baggage. Personal property of passengers or crew carried on an aircraft by agreement with the operator.

Cargo. Any property carried on an aircraft other than mail and accompanied or mishandled baggage.

Note.— *This definition differs from the definition of “cargo” given in Annex 9 — Facilitation.*

Civil aviation authority (CAA). The governmental entity or entities, however titled, that are directly responsible for the regulation of all aspects of civil air transport, technical (i.e. air navigation and aviation safety) and economic (i.e. the commercial aspects of air transport).

Consignment. One or more packages of dangerous goods accepted by an operator from one shipper at one time and at one address, receipted for in one lot and moving to one consignee at one destination address.

Crew member. A person assigned by an operator to duty on an aircraft during a flight duty period.

~~**Dangerous goods.** Articles or substances which are capable of posing a hazard to health, safety, property or the environment and which are shown in the list of dangerous goods in the Technical Instructions or which are classified according to those Instructions.~~

Dangerous goods accident. An occurrence associated with and related to the transport of dangerous goods by air, not necessarily occurring on board an aircraft, which results in fatal or serious injury to a person or major property or environmental damage.

Note.— *A dangerous goods accident may also constitute an aircraft accident as defined in Annex 13— Aircraft Accident and Incident Investigation.*

Dangerous goods incident. An occurrence, other than a dangerous goods accident, associated with and related to the transport of dangerous goods by air, not necessarily occurring on board an aircraft where:

- a) a person is injured;
- b) there is property or environmental damage;

- c) there is fire, breakage, spillage, leakage of contents or radiation or there is other evidence that the integrity of the packaging has not been maintained; or
- d) -the safety of the aircraft or its occupants is jeopardized.

Note.— *A dangerous goods incident may also constitute an aircraft incident as defined in Annex 13 — Aircraft Accident and Incident Investigation.*

Designated postal operator. Any governmental or non-governmental entity officially designated by a Universal Postal Union (UPU) member country to operate postal services and to fulfil the related obligations arising from the acts of the UPU Convention on its territory.

Exception. A provision in this Annex which excludes a specific item of dangerous goods from the requirements normally applicable to that item.

Exemption. An authorization, other than an approval, granted by an appropriate national authority providing relief from the provisions of the Technical Instructions.

Flight crew member. A licensed crew member charged with duties essential to the operation of an aircraft during a flight duty period.

Mail. Dispatches of correspondence and other items tendered by, and intended for delivery to, postal services in accordance with the rules of the Universal Postal Union (UPU).

Misdeclared dangerous goods. Dangerous goods offered for transport by air that are identified to not be in accordance with the information provided on the dangerous goods transport document or other documentation, when applicable.

Note.— *Dangerous goods identified by the operator during the acceptance check as not being in compliance with the applicable provisions of the Technical Instructions are not included in this definition.*

Operator. A person, organization or enterprise engaged in or offering to engage in an aircraft operation.

Overpack. An enclosure used by a single shipper to contain one or more packages and to form one handling unit for convenience of handling and stowage.

Note.— *A unit load device is not included in this definition.*

Package. The complete product of the packing operation consisting of the packaging and its contents prepared for transport.

Packaging. One or more receptacles and any other components or materials necessary for the receptacles to perform their containment and other safety functions.

Note.— *For radioactive material, see Part 2, paragraph 7.1.3 of the Technical Instructions.*

Pilot-in-command. The pilot designated by the operator, or in the case of general aviation, the owner, as being in command and charged with the safe conduct of a flight.

Remote pilot-in-command. The remote pilot designated by the operator as being in command and charged with the safe conduct of a flight.

Safety management system (SMS). A systematic approach to managing safety, including the necessary organizational structures, accountabilities, policies and procedures.

Serious injury. An injury which is sustained by a person in an accident and which:

- a) requires hospitalization for more than 48 hours, commencing within seven days from the date the injury was received; or
- b) results in a fracture of any bone (except simple fractures of fingers, toes or nose); or
- c) involves lacerations which cause severe haemorrhage, nerve, muscle or tendon damage; or
- d) involves injury to any internal organ; or
- e) involves second or third degree burns, or any burns affecting more than 5 per cent of the body surface; or
- f) involves verified exposure to infectious substances or injurious radiation.

State of Destination. The State in the territory of which the consignment is finally to be unloaded from an aircraft.

State of Origin. The State in the territory of which the consignment is first to be loaded on an aircraft.

State of the Operator. The State in which the operator's principal place of business is located or, if there is no such place of business, the operator's permanent residence.

Technical Instructions. The *Technical Instructions for the Safe Transport of Dangerous Goods by Air* (Doc 9284), approved and issued periodically in accordance with the procedure established by the ICAO Council.

Undeclared dangerous goods. Dangerous goods offered for transport by air where there is no dangerous goods transport document or other documentation, when permitted, describing the contents as containing dangerous goods or the package is not marked or labelled to identify the contents as containing dangerous goods, as required by the Technical Instructions.

UN number. The four-digit number assigned by the United Nations Committee of Experts on the Transport of Dangerous Goods and on the Globally Harmonized System of Classification and Labelling of Chemicals to identify an article or substance or a particular group of articles or substances.

Unit load device (ULD). A device for grouping and restraining cargo, mail and baggage for air transport. It is either an aircraft container or a combination of an aircraft pallet and an aircraft pallet net. A ULD is designed to be directly restrained by the aircraft cargo loading system.

Note 1.— An overpack is not included in this definition.

Note 2.— A freight container for radioactive material is not included in this definition (see Part 2, paragraph 7.1.3 of the Technical Instructions).

CHAPTER 2. GENERAL

2.1 Objective

Each State shall have as a primary objective in the transport of dangerous goods by air the safety of the aircraft, its occupants, ground personnel, the general public and the environment.

2.2 Applicability

2.2.1 The Standards and Recommended Practices of this Annex shall be applicable to international civil aviation.

2.2.2 **Recommendation.**— *Each State should apply the Standards and Recommended Practices contained in this Annex to domestic civil aviation.*

2.2.3 Articles and substances which would otherwise be classified as dangerous goods but which are required to be aboard the aircraft in accordance with the pertinent airworthiness requirements and operating regulations, or for those specialized purposes identified in the Technical Instructions, shall be excepted from the provisions of this Annex.

2.2.4 Where articles and substances intended as replacements for those described in 2.2.3 or which have been removed for replacement are carried on an aircraft, they shall be transported in accordance with the provisions of this Annex except as permitted in the Technical Instructions.

2.3 Compliance with the Dangerous Goods Technical Instructions

2.3.1 Each State shall take measures aimed at ensuring that any entity that offers, handles, transports or causes to be offered, handled or transported dangerous goods in cargo or mail achieves compliance with the detailed provisions contained in the Technical Instructions.

2.3.2 Each State shall take measures aimed at ensuring that passengers and crew members achieve compliance with the detailed provisions contained in Part 8 of the Technical Instructions.

2.3.3 Each State shall take measures to ensure the entities referred to in 2.3.1 and 2.3.2 achieve compliance with any amendment to the Technical Instructions which may be published during the specified period of applicability of an edition of the Technical Instructions.

2.3.4 **Recommendation.**— *Although an amendment to the Technical Instructions with an immediate applicability for reasons of safety may not yet have been implemented in a State, such State should, nevertheless, facilitate the movement of dangerous goods in its territory which are consigned from another State in accordance with that amendment, providing the goods comply in total with the revised requirements.*

2.3.5 Multimodal transport

Recommendation.— *Each State should take measures to enable dangerous goods intended for air transport and prepared in accordance with the Technical Instructions to be accepted for transport by other modes of transport to or from aerodromes.*

2.4 Limitation on the transport of dangerous goods by air

2.4.1 Dangerous goods permitted for transport by air

2.4.1.1 Each State shall only permit the transport of dangerous goods as cargo or mail by air as established in this Annex and the detailed provisions of the Technical Instructions.

2.4.1.2 Each State shall only permit the carriage of dangerous goods by passengers or crew members when specifically permitted in accordance with Part 8 of the Technical Instructions.

2.4.2 Dangerous goods forbidden for transport by air unless approved or exempted

Each State shall not permit the transport of dangerous goods identified in the Technical Instructions as being forbidden for transport by air under normal circumstances unless the provisions of the Technical Instructions indicate they may be transported under an approval granted by the States concerned in accordance with 2.4.2.1 or an exemption granted by the States concerned in accordance with 2.4.2.2.

2.4.2.1 Approvals

Where specifically provided for in the Technical Instructions, the States concerned may grant an approval provided that in such instances an overall level of safety in transport which is equivalent to the level of safety provided for in the Technical Instructions is achieved.

Note.— *For the purpose of approvals, “States concerned” are the States of Origin and the Operator, unless otherwise specified in the Technical Instructions.*

2.4.2.2 Exemptions

In instances:

- a) of extreme urgency; or
- b) when other forms of transport are inappropriate; or
- c) when full compliance with the prescribed requirements is contrary to the public interest,

the States concerned may grant an exemption from the provisions of the Technical Instructions provided that in such instances every effort shall be made to achieve an overall level of safety in transport which is equivalent to the level of safety provided for in the Technical Instructions.

Note 1.— *For the purpose of exemptions, “States concerned” are the States of Origin, Operator, Transit, Overflight and Destination.*

Note -2.— Guidance for the processing of exemptions, including examples of extreme urgency, may be found in the Oversight and Management of the Safe Transport of Dangerous Goods by Air Manual (Doc xxxxx, forthcoming), Chapter yy.

2.4.3 Dangerous goods forbidden for transport by air under any circumstances

2.4.3.1 Each State shall forbid any article or substance to be transported by air under any circumstance if, as presented for transport, it is liable to explode, dangerously react, produce a flame or dangerous evolution of heat or dangerous emission of toxic, corrosive or flammable gases or vapours under conditions normally encountered in transport.

2.4.3.2 Each State shall not grant approvals or exemptions for articles and substances identified in 2.4.3.1.

Note.— Guidance on dangerous goods forbidden for transport under any circumstance is provided in Doc xxxx; (forthcoming), Chapter yy.

CHAPTER 3. PROVISION OF INFORMATION TO ICAO

3.1 National authority

Each State shall designate and specify to ICAO an appropriate national authority within its administration to be responsible for ensuring compliance with this Annex.

3.2 Notification of variations from the Technical Instructions

Where a State adopts different provisions from those specified in the Technical Instructions, it shall notify ICAO promptly of such State variations for publication in the Technical Instructions.

Note.— Each State is expected to notify a difference to the provisions of 2.3.1 and 2.3.2 under Article 38 of the Convention only if they are unable to accept the binding nature of the Technical Instructions. Where States have adopted different provisions from those specified in the Technical Instructions, they are expected to be reported only under the provisions of 3.2.

3.3 Difficulties encountered in the application of the Technical Instructions

Recommendation.— *Each State should inform ICAO of difficulties encountered in the application of the Technical Instructions and of any amendments which it would be desirable to make to them.*

CHAPTER 4. STATE SAFETY MANAGEMENT RESPONSIBILITIES

Note 1.— The provisions for a State Safety Programme (SSP) contained in Chapter 3 to Annex 19 are applicable to this Annex. This chapter of Annex 18 contains specific State safety management responsibilities relevant to the safe transport of dangerous goods by air.

Note 2.— Guidance on an SSP is contained in the Safety Management Manual (SMM) (Doc 9859). Guidance on specific State safety management responsibilities relevant to the safe transport of dangerous goods by air is contained in Doc xxxx-[\(forthcoming\)](#).

4.1 State safety policy, objectives and resources

Note 1.— See 5.1 for primary aviation legislation applicable to the safe transport of dangerous goods by air.

Note 2.— See 5.2 and 7.1 for specific operating regulations applicable to the safe transport of dangerous goods by air.

Note 3.— Guidance on the establishment of authorities or government agencies supported by sufficient and qualified personnel and provided with adequate financial resources for the management of safety specific to dangerous goods is contained in Doc xxxx-[\(forthcoming\)](#), Chapter yy.

Note 4.— Guidance on staffing, minimum qualification requirements and training for dangerous goods technical personnel involved in the regulation and oversight of transport of dangerous goods by air is contained in Doc xxxx-[\(forthcoming\)](#), Chapter yyyy.

Note 5.— Guidance on coordination between appropriate national authorities that could have an impact on the transport of dangerous goods by air is contained in Doc xxxx-[\(forthcoming\)](#), Chapter yyyy.

4.2 State safety risk management

4.2.1 Approval and exemption obligations

Each State shall implement documented processes and procedures to ensure that individuals and organizations performing an activity related to the transport of dangerous goods by air meet the established requirements before they are allowed to exercise the privileges of an approval or exemption to conduct the relevant dangerous goods activity.

Note.— Guidance on the establishment of documented processes and procedures related to the granting of exemption and approval obligations is contained in Doc xxxx-[\(forthcoming\)](#), Chapter yyyy.

4.2.2 Safety management system obligations

Note 1.— The transport of dangerous goods by air is included in the scope of the operator's safety management system (SMS).

Note 2.— See Annex 6 — Operation of Aircraft, Part I — International Commercial Air Transport — Aeroplanes, Chapter 15 and Part IV — International Operations — Remotely Piloted Aircraft Systems,

Chapter 15 for SARPs concerning hazards associated with the transport of items in the cargo compartment, the conduct of a specific safety risk assessment, and the responsibilities for the transport of dangerous goods.

4.2.3 Dangerous goods safety investigations

4.2.3.1 Each State shall establish a process to investigate dangerous goods accidents and dangerous goods incidents reported in accordance with Chapter 10 in support of the management of safety in the State.

4.2.3.2 Each State shall implement a risk-based process for the investigation of:

- a) occasions when undeclared or misdeclared dangerous goods are discovered in cargo or mail;
- b) occasions when dangerous goods not permitted in passenger or crew baggage are discovered; and
- c) other safety issues-

which are reported in accordance with Chapter 10 in support of the management of safety in the State.

4.2.3.3 Each State shall participate in cooperative efforts with other States conducting dangerous goods safety investigations, as appropriate, with the aim of resolving safety issues and eliminating violations of dangerous goods regulations.

Note 1.— See 10.4 for requirements related to the exchange of information.

Note 2.— Guidance on dangerous goods safety investigations can be found in Doc xxxx, [\(forthcoming\)](#), Chapter-yy.

4.2.4 Hazard identification and safety risk assessment

4.2.4.1 Each State shall establish and maintain a process to identify the State's system-level hazards associated with the transport of dangerous goods by air from collected safety data.

4.2.4.2 Each State shall develop and maintain a process that ensures the assessment of safety risks associated with hazards identified under 4.2.4.1.

4.2.5 Management of safety risks

4.2.5.1 Dangerous goods transported as cargo or mail

4.2.5.1.1 Each State shall ensure that the mechanism for the resolution of safety issues required by Annex 19 addresses safety risks associated with dangerous goods offered, handled or transported or caused to be offered, handled or transported as cargo or mail by air.

4.2.5.1.2 Each State shall ~~include preventing~~ implement measures aimed at preventing dangerous goods not in compliance with the Technical Instructions from being transported in cargo or mail ~~as part of their safety risk management activities.~~

4.2.5.1.3 Each State shall implement measures ~~with the aim of~~ aimed at ensuring that any entity that offers, handles or transports or causes to be offered, handled or transported dangerous goods in cargo or mail has processes and procedures in place to identify dangerous goods in cargo or mail that are not in

compliance with the Technical Instructions and to prevent them from being offered for transport by air or loaded on an aircraft.

4.2.5.2 Dangerous goods carried by passengers or crew

4.2.5.2.1 Each State shall ensure that the mechanism for the resolution of safety issues required by Annex 19 addresses safety risks associated with dangerous goods carried by passengers and crew members.

4.2.5.2.2 Each State shall ~~include~~ **implement measures aimed at** preventing passengers and crew members from carrying dangerous goods on board an aircraft which they are not permitted to carry ~~as part of their safety risk management activities~~.

4.2.5.2.3 Each State shall implement measures ~~with the aim of~~ **aimed at** ensuring that entities handling baggage have processes and procedures in place to recognize dangerous goods not permitted to be carried by passengers and crew members and to prevent them from being carried on an aircraft when they are discovered.

Note.— Guidance on managing safety risks associated with dangerous goods is contained in Docs 10102 and Doc xxxx- [\(forthcoming\)](#), Chapter yyyy.

4.3 State safety assurance

Note.— Guidance on surveillance obligations and State safety performance required by Annex 19 specific to dangerous goods is contained in Doc xxxx- [\(forthcoming\)](#), Chapter yyyy.

4.4 State safety promotion

4.4.1 Dangerous goods transported as cargo or mail

4.4.1.1 Each State shall include activities aimed at preventing the transport of dangerous goods in cargo and mail by air which are not in compliance with the provisions of this Annex and the Technical Instructions in the State safety promotion activities required by Annex 19.

4.4.2 Dangerous goods carried by passengers or crew

4.4.2.1 Each State shall include activities aimed at preventing passengers and crew from carrying dangerous goods which they are forbidden to carry on an aircraft in the State safety promotion activities required by Annex 19.

Note.— See Part 8 of the Technical Instructions for dangerous goods carried by passengers and crew members.

4.4.3 Each State shall establish means to promote dangerous goods safety and a positive safety culture throughout the supply chain.

Note.— Guidance related to State safety promotion and a positive safety culture specific to the safe transport of dangerous goods by air is contained in Doc xxxx- [\(forthcoming\)](#), Chapter yyy.



CHAPTER 5. SAFETY OF THE SUPPLY CHAIN

5.1 Primary aviation legislation (CE 1)

Each State shall promulgate laws that enable the oversight and safety management of entities that offer, handle, transport or cause to be offered, handled or transported dangerous goods by air, the resolution of safety issues and the enforcement of regulations through the relevant authorities established for that purpose.

5.2 Specific operating regulations

Each State shall ~~ensure that the~~establish specific operating regulations ~~required by~~in accordance with Annex-19 ~~include~~to require, at a minimum, that:

- a) a person does not offer or cause to be offered for transport:
 - 1) articles or substances which are forbidden for transport in accordance with 2.4.3;
 - 2) articles or substances which are forbidden for transport in accordance with 2.4.2 unless permitted by the States concerned through an approval or exemption;
- b) a person does not offer or cause to be offered dangerous goods for transport unless:
 - 1) policies and procedures have been developed and provided to enable them to carry out the function for which they are responsible;
 - 2) associated hazards are identified in accordance with the classification criteria of Part 2 of the Technical Instructions;
 - 3) risks associated with the identified hazards are mitigated at the package level through quantity limitations, packing and packaging requirements in accordance with Parts 3, 4 and 6 of the Technical Instructions;
 - 4) hazard and handling information are communicated to entities in the supply chain in accordance with the marking, labelling and documentation requirements of Parts 3, 4 and 5 of the Technical Instructions;
 - 5) documentation is retained in accordance with the Technical Instructions;
 - 6) in the case of radioactive material, a radiation protection programme is established in accordance with Part 1;6 of the Technical Instructions;
- c) operators accept, handle and transport dangerous goods in accordance with Chapter 6;
- d) dangerous goods accidents, dangerous goods incidents and occasions when undeclared or misdeclared dangerous goods are discovered are reported in accordance with Chapter 10;

- e) training and assessment is conducted in accordance with Chapter 9; ~~and~~
- f) dangerous goods are not offered, caused to be offered or accepted for transport by mail unless specifically permitted in accordance with Chapter 8; and
- g) entities other than operators involved in the transport of dangerous goods by air provide such information to their personnel as will enable them to carry out their responsibilities with regard to the transport of dangerous goods and instructions as to the action to be taken in the event of emergency involving dangerous goods.

Note.— Annex 6 contains requirements for the operator to be provided with an operations manual for the use and guidance of operations personnel concerned.

CHAPTER 6. OPERATOR'S RESPONSIBILITIES

DGP-WG/Annex 18 recommends the following for Chapter 6:

- a) Restructure the chapter to differentiate between operators with and without specific approvals to transport dangerous goods as cargo in alignment with the structure of the dangerous goods chapters in Annex 6 (Chapters 14 in Parts I and IV and Chapter 12 in Part II). This makes the responsibilities applicable to each type of operator clear and establishes a stronger connection with Annex 6. The revised structure addresses concerns from OPS experts that the amendment as presented to DGP-WG/24 did not clearly distinguish between operators with and those without specific approval to transport dangerous goods was not clear.
 - b) Adding several high-level Standards to ensure each provision in the Technical Instructions is connected to a high-level Standard in the Annex. This provides greater visibility of the provisions to States which will enable them to better assess an operator's ability to perform dangerous goods functions through the AOC process and during surveillance activities
 - c) Several editorial amendments to existing SARPs to make the subject of the SARP clear and to align with language used in Annex 6 (i.e. "The operator shall ...").
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Replace chapter presented in DGP-WG/24-
IP/1 with the following:

Note 1.— Annex 6, Parts I, III and IV prohibit an operator from engaging in commercial air transport operations unless it is in possession of a valid air operator certificate (AOC) issued by the State of the Operator. The AOC authorizes the operator to conduct commercial air transport operations in accordance with its operations specifications. The operations specifications include an indication of whether an operator has specific approval to transport dangerous goods as cargo. This Annex applies to all operators, regardless of their specific approval status. Operators that have a specific approval to transport dangerous goods as cargo are subject to additional operational responsibilities that do not apply to operators without specific approval. This chapter distinguishes responsibilities for operators without specific approval from those with specific approval to transport dangerous goods as cargo by separating them into two sections (6.1 and 6.2).

Note 2.— Annex 6, Part I, Chapter 14, Annex 6, Part III, Chapter 12 and Annex 6, Part IV, Chapter 14 includes provisions for air operators to include dangerous goods procedures, instructions and guidance in its operations manual.

Note 3.— Annex 19 includes safety management provisions for air operators. Further guidance is contained in the Safety Management Manual (SMM) (Doc 9859).

Note 4.— The carriage of dangerous goods is included in the scope of the operator's safety management system (SMS).

Note 5.— It is not intended that this Annex be interpreted as requiring an operator to transport a particular article or substance or as preventing an operator from adopting special requirements on the transport of a particular article or substance.

Note 6.— The operator may contract functions required by this Annex to another party while retaining overall responsibility for them.

Note 6.— Each State is required to recognize as valid an air operator certificate issued by another State in accordance with Annex 6, Part I, 4.2.2, Part III — International Operations — Helicopters, of 2.2.2 and Part IV, 4.2.3. This includes the specific approval to transport dangerous goods as cargo issued by another State.

6.1 General

6.1.1 The provisions of 6.2 are only applicable to operators with no specific approval for the transport of dangerous goods as cargo.

6.1.2 The provisions of 6.3 are only applicable to operators with a specific approval for the transport of dangerous goods as cargo.

6.2 Operators with no specific approval for the transport of dangerous goods as cargo

6.2.1 General

The operator shall not transport dangerous goods as cargo.

6.2.2 Acceptance and loading of dangerous goods carried by passengers and crew requiring approval

The operator shall implement documented processes and procedures for accepting and transporting dangerous goods, only permitted for carriage by passengers and crew if approved by the operator, in accordance with Parts 7 and 8 of the Technical Instructions.

6.2.3 Damage or leakage

The operator or an appropriate authority or organization shall remove cargo, mail or baggage suspected of containing dangerous goods from the aircraft or unit load device if it appears to be damaged or leaking in accordance with Part 7.3 of the Technical Instructions.

6.2.4 Prevention of non-compliance

6.2.4.1 The operator shall ensure that measures are in place to mitigate against the risk of:

- a) dangerous goods being transported as cargo on an aircraft ~~unless approved for transport by the State of the Operator and in compliance with the Technical Instructions and the conditions of the approval;~~
- b) dangerous goods being transported which are intended as replacement for or removed for replacement of those required to be aboard an aircraft in accordance with pertinent airworthiness requirements and operator regulations;
- c) dangerous goods being transported in air mail which are not in compliance with the Technical Instructions; and

- d) passengers and crew carrying dangerous goods on board an aircraft which they are not permitted to carry.

6.2.4.2 The mitigations required by 6.2.4.1 shall include, at a minimum:

- a) measures aimed at ensuring cargo customers are aware of the limitations on the transport of dangerous goods as cargo by air;
- b) measures aimed at ensuring passengers and crew are aware of the limitations on the carriage of dangerous goods by air; and
- c) measures aimed at assisting operators' acceptance staff in identifying, detecting and rejecting dangerous goods presented as general cargo.

Note 1.— See 2.4 for limitations on the transport of dangerous goods by air.

Note 2.— See Part 7;4.8 of the Technical Instructions for provision of information at cargo acceptance points and Part 7;5 of the Technical Instructions for provision of information to passengers and for passenger check-in procedures.

Note 3.— See Part 7;1.1 of the Technical Instructions for cargo acceptance procedures related to detecting dangerous goods presented as general cargo.

Note 4.— See Part 7;6 of the Technical Instructions for provisions to aid recognition of dangerous goods in general cargo, baggage or mail.

6.2.5 Emergency procedures

The operator shall provide instructions to crew members and other personnel involved in the transport of cargo, baggage or mail as to the action to be taken in the event of an emergency involving dangerous goods.

6.2.6 Reporting of dangerous goods occurrences to State authorities

Note.— See Chapter 10 for requirements for the operator to report dangerous goods occurrences to State authorities.

6.3 Operators with a specific approval for the transport of dangerous goods as cargo

6.3.1 General

The operator shall take measures to ensure that all personnel, including third-party personnel, involved in the acceptance, handling, loading and unloading of cargo are operating within the limits established by its specific approval to transport dangerous goods as cargo.

6.3.2 Acceptance and loading of dangerous goods carried by passengers and crew requiring approval

The operator shall implement documented processes and procedures for accepting and transporting dangerous goods only permitted for carriage by passengers and crew if approved by the operator, in accordance with Parts 7 and 8 of the Technical Instructions.

6.3.3 Acceptance of dangerous goods for transport as cargo

6.3.3.1 The operator shall not accept dangerous goods for transport as cargo by air:

- a) unless information is provided in accordance with Part 7;1.2 of the Technical Instructions describing the dangerous goods in the consignment, except where the Technical Instructions indicate that such information is not required; and
- b) until the package, overpack or freight container containing the dangerous goods has been inspected in accordance with the acceptance procedures contained in Part 7;1 of the Technical Instructions.

6.3.3.2 The operator shall use an acceptance checklist as an aid to compliance with the provisions of 6.3.3.1 in accordance with Part 7;1.3 of the Technical Instructions.

6.3.3.3 The operator shall not accept a freight container or unit load device containing dangerous goods from a shipper except as permitted by 7;1 of the Technical Instructions.

6.3.4 Handling

6.3.3.1 The operator shall handle cargo containing dangerous goods in a manner that prevents damage, leakage or dangerous reaction in accordance with the provisions of the Technical Instructions.

6.3.3.2 The operator shall ensure that marks and labels required by the Instructions are visible throughout the course of air transport in accordance with Part 7;2 of the Technical Instructions.

6.3.3.3 The operator shall ensure that dangerous goods contained in unit load devices are identified on the exterior of the unit load devices in accordance with Part 7;2 of the Technical Instructions.

6.3.5 Loading, unloading and stowage

6.3.5.1 *Damage or leakage*

6.3.5.1.1 The operator shall not load dangerous goods as cargo onto an aircraft unless:

- a) packages, overpacks and freight containers containing dangerous goods have been inspected immediately prior to placing them in a unit load device or loading them on an aircraft and found free from any evidence of leakage or damage; and
- b) unit load devices have been inspected and found free from any evidence of leakage from, or damage to, any dangerous goods contained therein.

6.3.5.1.2 The operator shall inspect packages, overpacks and freight containers containing dangerous goods for evidence of damage or leakage upon unloading from the aircraft or unit load device.

6.3.5.1.3 The operator or an appropriate authority or organization shall remove cargo, mail or baggage containing or suspected of containing dangerous goods from the aircraft or unit load device if there is evidence of damage or leakage in accordance with Parts 7;2 and 7;3 of the Technical Instructions.

6.3.5.2 *Removal of contamination*

The operator shall ensure that:

- a) any hazardous contamination found on an aircraft from dangerous goods is removed without delay in accordance with the Technical Instructions.
- b) an aircraft which has been contaminated by radioactive materials is immediately taken out of service and not returned to service until the radiation level at any accessible surface and the non-fixed contamination are not more than the values specified in the Technical Instructions.

6.3.5.3 *Loading restrictions in passenger cabin or on flight deck*

The operator shall ensure that dangerous goods are not carried in an aircraft cabin occupied by passengers or on the flight deck of an aircraft, except in circumstances permitted by the provisions of the Technical Instructions.

6.3.5.4 *Separation and segregation*

6.3.5.4.1 The operator shall ensure that packages containing dangerous goods which might react dangerously with one another are segregated or separated from each other, as applicable, in accordance with Part 7;2.2 of the Technical Instructions.

6.3.5.4.2 The operator shall ensure that packages of radioactive materials are stowed on an aircraft so that they are separated from persons, live animals and undeveloped film, in accordance with Part 7;2.9.6 of the Technical Instructions.

6.3.5.5 *Securing of dangerous goods cargo loads*

6.3.5.5.1 The operator shall protect dangerous goods on the aircraft or in a unit load device from being damaged and secure such goods in the aircraft in such a manner that will prevent any movement.

6.3.5.5.2 For packages containing radioactive materials, the securing shall be adequate to ensure that the separation requirements of 6.3.4.4.2 are met at all times.

6.3.5.6 *Loading on cargo aircraft*

Packages of dangerous goods bearing the “Cargo aircraft only” label shall be loaded for transport on a cargo aircraft in accordance with 7;2.4.1 of the Technical Instructions.

6.3.6 Operator responsibilities for specific types of dangerous goods

6.3.6.1 The operator shall comply with the specific requirements for the handling, stowage and transport of infectious substances and radioactive material contained in the Technical Instructions.

6.3.6.2 The operator shall comply with handling and loading requirements for the specific types of dangerous goods contained in the Technical Instructions.

6.3.7 Information to pilot-in-command or remote-pilot-in-command

The operator shall ensure that when an aircraft is to transport dangerous goods as cargo, the pilot-in-command or remote-pilot-in-command, as applicable, is provided as early as practicable before departure of the aircraft with information in accordance with Part 7.4 of the Technical Instructions.

6.3.8 Emergency procedures

6.3.8.1 The operator shall provide instructions to crew members as to the action to be taken in the event of an emergency involving dangerous goods.

6.3.8.2 If an in-flight emergency occurs, the pilot-in-command or remote-pilot-in-command shall, as soon as the situation permits, inform the appropriate air traffic services unit, for the information of aerodrome authorities, of any dangerous goods on board the aircraft, as provided for in the Technical Instructions.

6.3.8.3 The operator shall ensure that in the event of an aircraft accident, a serious incident or incident, where emergency services are responding, the information about the dangerous goods on board that was provided to the pilot-in-command or remote-pilot-in-command is provided, without delay, to emergency services responding to the accident, serious incident or incident.

6.3.8.4 The operator shall ensure that in the event of an aircraft incident, if requested to do so, the information about the dangerous goods on board that was provided to the pilot-in-command or remote-pilot-in-command is provided without delay to aerodrome authorities.

6.3.8.5 The operator shall ensure that in the event of:

- a) an aircraft accident; or
- b) a serious incident where dangerous goods carried as cargo may be involved,

the information about the dangerous goods on board that was provided to the pilot-in-command or remote pilot-in-command is provided, as soon as possible, to the appropriate authorities of the State of the Operator and the State in which the occurrence took place.

6.3.8.6 The operator shall ensure that in the event of an aircraft incident, if requested to do so, the information about the dangerous goods on board that was provided to the pilot-in-command or the remote-pilot-in-command is provided, without delay, to the appropriate authority of the State in which the occurrence took place.

Note.— The terms “accident”, “serious incident” and “incident” are as defined in Annex 13.

6.3.9 Prevention of non-compliance

6.3.9.1 The operator shall ensure that measures are in place to mitigate against the risk of:

- a) dangerous goods being transported as cargo on an aircraft that are not in compliance with the Technical Instructions and the limitations with regard to the transport of dangerous goods established in the Operations Manual;
- b) dangerous goods being transported which are intended as replacement for or removed for replacement of those required to be aboard an aircraft in accordance with pertinent airworthiness requirements and operator regulations that are not in compliance with the Technical Instructions;
- c) dangerous goods being transported in air mail which are not in compliance with the Technical Instructions; and
- d) passengers and crew carrying dangerous goods on board an aircraft which they are not permitted to carry.

6.3.9.2 The mitigations required by 6.2.6.1 shall include, at a minimum:

- a) measures aimed at ensuring cargo customers are aware of the limitations on the transport of dangerous goods as cargo by air;
- b) measures aimed at ensuring passengers and crew are aware of the limitations on the carriage of dangerous goods by air; and
- c) measures aimed at assisting operators' acceptance staff in identifying, detecting and rejecting dangerous goods presented as general cargo.

Note 1.— See 2.4 for limitations on the transport of dangerous goods by air.

Note 2.— See Part 7;4.8 of the Technical Instructions for provision of information at cargo acceptance points and Part 7;5 of the Technical Instructions for provision of information to passengers and for passenger check-in procedures.

Note 3.— See Part 7;1.1 of the Technical Instructions for cargo acceptance procedures related to detecting dangerous goods presented as general cargo.

Note 4.— See Part 7;6 of the Technical Instructions for provisions to aid recognition of dangerous goods in general cargo, baggage or mail.

6.3.10 Reporting of dangerous goods occurrences to State authorities

Note.— See Chapter 10 for requirements for the operator to report dangerous goods occurrences to State authorities.

CHAPTER 7. AIRPORT OPERATOR'S RESPONSIBILITIES

7.1 Provision of information to passengers

Each State shall ensure that the specific operating regulations required by Annex 19 require that airport operators promulgate information in such a manner that passengers are warned of the types of dangerous goods which they are forbidden from carrying aboard an aircraft as provided for in Part 7 of the Technical Instructions.

Note.— Requirements for the operator to provide information to passengers are contained in Chapter 6.

CHAPTER 8. TRANSPORT OF DANGEROUS GOODS BY POST

Note.— In accordance with the Universal Postal Union (UPU) Convention, dangerous goods are not permitted in mail, except as provided for in the Technical Instructions.

8.1 Designated postal operator's responsibilities

8.1.1 A designated postal operator accepting mail into air transport shall:

- a) establish and maintain a dangerous goods training programme in accordance with Chapter 9;
- b) implement procedures for preventing the introduction of dangerous goods in mail when not in compliance with the provisions of this Annex and the Technical Instructions; and
- c) implement procedures in accordance with Chapter 10 for the reporting of dangerous goods accidents, dangerous goods incidents and occasions when undeclared or misdeclared dangerous goods are discovered in mail offered for air transport.

8.1.2 A designated postal operator that allows dangerous goods in mail shall:

- a) ensure that dangerous goods are only permitted in the mail in accordance with Part 1;2.3 of the Technical Instructions; and
- b) not permit lithium batteries identified in Part 1;2.3 of the Technical Instructions in the mail into air transport unless the civil aviation authority of its State has issued a specific approval.

8.1.3 Each State's designated postal operator accepting mail in another State shall comply with the requirements of 8.1.1 and 8.1.2.

8.2 Approval of procedures for controlling the introduction of dangerous goods by mail into air transport

The procedures of a State's designated postal operators identified in 8.1 shall be approved by the State's civil aviation authority

Note 1.— See Chapter 9 for approval of the designated postal operator's dangerous goods training programme.

Note 2.— The Universal Postal Convention embodies the rules applicable throughout the international postal service and the provisions concerning the letter-post and parcel-post services. The Universal Postal Union (UPU) requires that member countries ensure that their designated postal operators fulfil the obligations arising from the Universal Postal Convention. The Regulations to the Universal Postal Convention contain the rules of application necessary for the implementation of the Universal Postal Convention and reflect the ICAO Standards and Recommended Practices for the transport of dangerous goods in airmail (see the UPU Convention Manual).

Note 3.— Guidance for approving the procedures established by designated postal operators to control the introduction of dangerous goods into air transport may be found in the Supplement to the Technical Instructions (Part S-1, Chapter 3).

CHAPTER 9. TRAINING AND ASSESSMENT

9.1 Dangerous goods training programme

Note 1.— A training programme includes elements such as design methodology, assessment, initial and recurrent training, instructor qualifications and competencies, training records, and evaluation of the effectiveness of the training.

9.1.1 Each State shall require the establishment and maintenance of a dangerous goods training programme by any entity that:

- a) offers, handles, or transports dangerous goods by air; or
- b) causes dangerous goods to be offered, handled, or transported by air.

Note.— A dangerous goods training programme is required for all operators regardless of whether the operator has been issued a specific approval to transport dangerous goods as cargo in accordance with Annex 6.

9.1.2 Each State shall require the establishment and maintenance of a dangerous goods training programme by its designated postal operators regardless of whether the designated postal operator allows the introduction of dangerous goods in mail in accordance with Part 1 of the Technical Instructions.

9.2 Approval of training programmes

9.2.1 The appropriate authority of the State of the Operator shall approve the operator's dangerous goods training programme.

Note.— Annex 6, Parts I, III and IV require that States recognize as valid the air operator certificate (AOC) issued by another State provided that the requirements under which the certificate was issued are at least equal to the applicable Standards specified in Annexes 6 and 19. This includes the operator's dangerous goods training programme.

9.2.2 The State's civil aviation authority shall approve the dangerous goods training programme of the State's designated postal operators.

9.2.3 **Recommendation.**— *Dangerous goods training programmes required for entities other than operators and designated postal operators should be approved as determined by the appropriate national authority in accordance with its safety risk management activities.*

9.3 Competency of personnel

9.3.1 Each State shall require the employer to ensure their personnel are competent to perform any function for which they are responsible prior to performing any of these functions through dangerous goods training and assessment commensurate with the functions for which they are responsible.

9.3.2 Each State shall require the employer to provide initial and recurrent dangerous goods training and assessment in accordance with the Technical Instructions.

9.3.3 Each State shall require the employer to ensure that the competency of personnel is maintained.

9.3.4 Each State shall require the employer to ensure that instructors delivering dangerous goods training are competent in instruction and the function(s) that they will instruct prior to delivering such training.

Note.— An approach to ensuring personnel are competent to perform any function for which they are responsible is provided in Guidance on a Competency-based Approach to Dangerous Goods Training and Assessment (Doc 10147).

9.4 Training and assessment records

9.4.1 Each State shall require the employer to maintain and retain records of training and assessment in accordance with the Technical Instructions.

CHAPTER 10. DANGEROUS GOODS SAFETY INTELLIGENCE

Note.— In addition to the provisions of this chapter, other provisions relative to the promotion of dangerous goods accident and incident prevention by collection and analysis of safety data and by a prompt exchange of safety information, as part of the State safety programme (SSP), are included in Annex 19 — Safety Management and, to this effect, are applicable to this Annex. Further guidance is contained in the Safety Management Manual (SMM) (Doc 9859).

10.1 Safety data collection and processing systems

The State shall ensure its safety data collection and processing systems (SDCPS) capture, store, aggregate and enable the analysis of dangerous goods safety data and dangerous goods safety information in accordance with Annex 19, 5.1.

Note 1.— Within the context of this Annex, SDCPS refers to processing and reporting systems, safety databases, schemes for exchange of information, and recorded information including but not limited to:

- a) data and information related to safety investigations by State authorities, operators or other entities involved with the transport of dangerous goods by air;*
- b) mandatory safety reporting systems as indicated in 5.1.2 of Annex 19 and 10.1.1 of this Annex; and*
- c) voluntary safety reporting systems as indicated in 5.1.3 of Annex 19 and 10.1.2 of this Annex.*

Note 2.— Guidance related to SDCPS is contained in the Safety Management Manual (SMM) (Doc 9859) and the [DG guidance material].

10.1.1 Mandatory safety reporting system

10.1.1.1 States shall include reporting of dangerous goods accidents, dangerous goods incidents and occasions when undeclared or misdeclared dangerous goods are discovered as part of their mandatory safety reporting systems in accordance with the provisions of Annex 19.

10.1.1.2 States' mandatory reporting systems shall include a requirement for the operator to report dangerous goods accidents and dangerous goods incidents to the appropriate national authority of the State in which they occurred and to the State of the Operator.

10.1.1.3 States' mandatory reporting systems shall include a requirement for the operator to report occasions when undeclared or misdeclared 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.

10.1.1.4 States' mandatory reporting systems shall include a requirement for the operator to report occasions when dangerous goods not permitted to be carried by passengers or crew members 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 to the appropriate national authority of the State in which this occurred.

Note.— Dangerous goods permitted to be carried by passengers and crew members are provided in Part 8 of the Technical Instructions.

10.1.1.5 States' mandatory reporting systems shall include a requirement for its designated operators to report dangerous goods accidents, dangerous goods incidents and occasions when dangerous goods which do not comply with the provisions of this Annex and the Technical Instructions are discovered in mail offered for air transport.

10.1.1.6 **Recommendation.**— *States' mandatory reporting systems should include a requirement for entities other than operators to report dangerous goods accidents and dangerous goods incidents to the appropriate national authority of the State in which they occurred.*

10.1.1.7 **Recommendation.**— *States' mandatory reporting systems should include a requirement for entities other than operators to report occasions when undeclared or misdeclared dangerous goods are discovered to the appropriate national authority of the State in which they were discovered.*

10.1.2 Voluntary safety reporting system

10.1.2.1 States shall establish a voluntary dangerous goods safety reporting system to collect safety data and safety information from operators that is not captured by mandatory safety reporting systems in accordance with Annex 19, 5.1.

10.1.2.2 **Recommendation.**— *States should establish a voluntary dangerous goods safety reporting system to collect safety data and safety information from entities other than operators, not captured by mandatory reporting systems in accordance with Annex 19, 5.1.*

10.2 Safety data and safety information analysis

States shall establish and maintain a process to ~~analyse~~analyze the dangerous goods safety data and dangerous goods safety information from the SDCPS and associated safety databases in accordance with Annex 19, 5.2.

10.3 Safety data and safety information protection

10.3.1 States shall accord protection to dangerous goods safety data captured by, and dangerous goods safety information derived from, voluntary safety reporting systems and related sources in accordance with Annex 19, 5.3.

10.3.2 **Recommendation.**— States should extend the protection referred to in 10.3.1 to safety data captured by, and safety information derived from, mandatory dangerous goods safety reporting system and related sources in accordance with Annex 19, 5.3.

10.4 Safety information sharing and exchange

10.4.1 The State shall share and exchange dangerous goods safety information in accordance with Annex 19, 5.4.

10.4.2 If a State, in the analysis of the dangerous goods information contained in its safety data collection and processing system (SDCPS), identifies safety issues which may pose an unacceptable risk to the global aviation safety system, that State shall forward such safety information to ICAO with a minimum of delay.

Note 1.— Provisions for a SDCPS and safety information sharing and exchange between States are included in Annex 19. Further guidance is contained in the Safety Management Manual (SMM) (Doc 9859).

Note 2.— Whenever practicable, the safety information sent to ICAO is to be prepared in one of the working languages of the Organization.

10.4.3 States shall provide ICAO with dangerous goods information from their SDCPS upon request to address global safety issues related to the transport of dangerous goods by air.

10.4.4 States shall participate in cooperative efforts with other States to eliminate unsafe practices and non-compliance with the Technical Instructions.

10.4.5 States' cooperative efforts shall include coordination of investigations of dangerous goods accidents and dangerous goods incidents, identified safety issues related to the transport of dangerous goods by air, non-compliance with the Technical Instructions and enforcement actions.

CHAPTER 11. DANGEROUS GOODS SECURITY PROVISIONS

11.1 Each State shall establish dangerous goods security measures, applicable to entities in the supply chain engaged in the transport of dangerous goods by air, to minimize theft or misuse of dangerous goods that may endanger persons, property or the environment. These measures should be commensurate with security provisions specified in other Annexes and the Technical Instructions.

APPENDIX. — CONTENTS OF A DANGEROUS GOODS MANUAL

~~1. The operations or other appropriate manual provided in accordance with Chapter 6, 6.2.1 shall contain policies and procedures aimed at ensuring:~~

~~a) undeclared and misdeclared dangerous goods are identified and prevented from being transported as cargo or carried by passengers and crew members;~~

~~— Note. — This includes operator material classified as dangerous goods.~~

~~b) information on the transport of dangerous goods is displayed at cargo acceptance areas in accordance with the Technical Instructions;~~

~~c) passengers and crew members are prevented from carrying dangerous goods either as or in carry-on baggage, as or in checked baggage, or on their person unless the dangerous goods are permitted in accordance with Part 8 of the Technical Instructions;~~

~~d) information is provided to passengers in accordance with Part 7 of the Technical Instructions;~~

~~e) the reporting requirements of 6.10 are fulfilled;~~

~~f) all personnel, including third party personnel, involved in the acceptance, handling, loading and unloading of cargo, mail, passenger and crew baggage are informed of the operator's limitations with regard to the transport of dangerous goods;~~

~~g) articles and substances intended as replacements for those described in 2.2.2 or which have been removed for replacement are carried in accordance with this Annex and the detailed provisions of the Technical Instructions by an operator with specific approval to transport dangerous goods as cargo.~~

~~2. In addition to 1. above, an operator with a specific approval to transport dangerous goods shall ensure that the operations manual provided in accordance with Chapter 6, 6.2.2 contains policies and procedures aimed at ensuring:~~

~~a) that all personnel, including third party personnel, involved in the acceptance, handling, loading and unloading of cargo, mail, passenger and crew baggage are informed of the operator's specific approvals [and limitations] with regard to the transport of dangerous goods;~~

~~b) when applicable, a radiation protection programme is implemented in accordance with the Technical Instructions.~~

APPENDIX B

**PROPOSED AMENDMENT TO ANNEX 18 — THE SAFE TRANSPORT OF DANGEROUS
GOODS BY AIR**

**PROPOSED AMENDMENT TO
INTERNATIONAL STANDARDS AND RECOMMENDED PRACTICES**

ANNEX 18

TO THE CONVENTION ON INTERNATIONAL CIVIL AVIATION

THE SAFE TRANSPORT OF DANGEROUS GOODS BY AIR

NOTES ON THE PRESENTATION OF THE PROPOSED AMENDMENT

The text of the amendment is arranged to show deleted text with a line through it and new text highlighted with grey shading, as shown below:

1. ~~Text to be deleted is shown with a line through it.~~ text to be deleted
2. **New text to be inserted is highlighted with grey shading.** new text to be inserted
3. ~~Text to be deleted is shown with a line through it~~ followed by the replacement text which is highlighted with grey shading. new text to replace existing text

PROPOSED AMENDMENT TO

ANNEX 18

THE SAFE TRANSPORT OF DANGEROUS GOODS BY AIR

FOREWORD

Historical background

~~The material in this Annex was~~ The provisions of Annex 18 govern the international transport of dangerous goods by air. They were developed by the Air Navigation Commission in response to a need expressed by Contracting States for an internationally agreed set of provisions governing the safe transport of dangerous goods by air. ~~In order to assist in achieving compatibility with the regulations covering the transport of dangerous goods by other modes of transport, the provisions of this Annex are based on the Recommendations of the United Nations Committee of Experts on the Transport of Dangerous Goods and the Regulations for the Safe Transport of Radioactive Materials of the International Atomic Energy Agency~~ They were originally adopted by Council on 26 June 1981 and became applicable on 1 January 1984.

The significant growth and complexity in air cargo operations since Annex 18 was first adopted necessitates the implementation of the same proactive strategy to improve safety performance needed in other aviation sectors through the State safety programme (SSP). Accordingly, provisions aimed at ensuring States integrate dangerous goods operations within their SSP were adopted by Council on ... 2026 through Amendment 13. The provisions provide clarity and sufficient detail to effectively outline States' responsibilities with respect to the safe transport of dangerous goods by air and the interrelationship of responsibilities between dangerous goods and other aviation activities.

Relationship with the *Technical Instructions for the Safe Transport of Dangerous Goods by Air* (Doc 9284)

~~The provisions of Annex 18 govern the international transport of dangerous goods by air. The broad provisions of this Annex are amplified by the detailed specifications of the *Technical Instructions for the Safe Transport of Dangerous Goods by Air* (Doc 9284).~~ (Technical Instructions). The provisions of the Technical Instructions are based on recommendations on the transport of dangerous goods developed for all modes of transport by the United Nations Economic and Social Council's Committee of Experts on the Transport of Dangerous Goods. The intent of using this common base by all modes of transport is to allow cargo to be transferred safely and smoothly between air, sea, rail, and road modes. Modifications from these recommendations are made in the Technical Instructions to address specific aviation needs while keeping in mind the need to ensure modal compatibility.

<i>Origin:</i> DGP/29	<i>Rationale:</i> Justification: The objective of Annex 18 is currently provided under the heading for “Relationship with the <i>Technical Instructions for the Safe Transport of Dangerous Goods by Air</i> ”. It is proposed to move the objective as a general statement at the beginning of the Foreword under the heading for “Historical background” to make it immediately clear. The current text under “Historical background” about the provisions of the Annex being based on the Recommendations of the United Nations Committee of Experts on the Transport of Dangerous Goods and the Regulations for the Safe Transport of Radioactive Materials of the International Atomic Energy Agency is inaccurate. It is not the Annex that is based on these recommendations and regulations, but rather the Technical Instructions. It is proposed to explain the relationship with these bodies in the “Relationship with the Technical Instructions” section. It is also proposed to delete the reference to the IAEA regulations as it is considered unnecessary. The relevant material from these regulations are included in the United Nations recommendations upon which the Technical Instructions are based. The input from the IAEA is explained in the Foreword of the Technical Instructions. The adoption and applicability dates of the Annex are proposed for inclusion in the Annex for the sake of consistency with other Annexes.
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Status of the Technical Instructions

The detailed requirements of the Technical Instructions are considered binding on a State by virtue of 2.3.1.1 of this Annex unless it has notified a difference to this provision under Article 38 of the Convention.

<i>Origin:</i> DGP/29	<i>Rationale:</i> Justification: The inside cover of Annex 18 explains the status of the Technical Instructions. The status was agreed by Contracting States in recognition of the critical role the Technical Instructions for safety. It is proposed to make this explanation more visible by including it in the Foreword.
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Amendments to Annex 18 and the Technical Instructions

Annex 18 is intended to contain stable material requiring only minor amendments using the normal Annex amendment process. The Technical Instructions require more substantial and frequent amendments to keep up with day-to-day operational use.

The Air Navigation Commission established the Dangerous Goods Panel (DGP) and tasked it with maintaining the Technical Instructions. The DGP meets periodically to review comments received from States and interested international organizations, to consider any changed recommendations of the United Nations Committee, to address safety and facilitation issues specific to air transport and to prepare revised editions of the Technical Instructions. Amendments recommended by the DGP are published in panel meeting reports and made available on www.icao.int/safety/DangerousGoods.

Amendments recommended by the DGP are reviewed by the Air Navigation Commission and approved, issued and amended by the Council. Action taken by the Air Navigation Commission or the Council on the recommendations is published in the Supplement to DGP meeting reports and made available on www.icao.int/safety/DangerousGoods/.

A new edition of the Technical Instructions is published every two years. Amendments to the Technical Instructions during the specific period of applicability of an edition of the document may also be published if deemed necessary. Amendments during the specific period of applicability are made available on www.icao.int/safety/dangerous_goods.

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	Justification: The status and amendment process for the Technical Instructions is unlike that for any other ICAO provisions. It is therefore considered necessary to make the process and the ability for States to see amendments being proposed visible.

Guidance

Guidance to States on the implementation of Annex 18 is contained in *Oversight and Management of the Safe Transport of Dangerous Goods by Air Manual (Doc xxxxx, forthcoming)*.

The Technical Instructions are supported by the *Supplement to the Technical Instructions for the Safe Transport of Dangerous Goods by Air (Doc 9284)*. The Supplement contains guidance to assist States when considering authorizations to transport dangerous goods by air that the Technical Instructions forbid under normal circumstances through approvals or exemptions.

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	Justification: A new section containing references to available guidance is proposed to support States.

...

INTERNATIONAL STANDARDS AND RECOMMENDED PRACTICES

CHAPTER 1. DEFINITIONS

When the following terms are used in this Annex, they have the following meanings:

Approval. An authorization granted by an appropriate national authority for:

- a) the transport of dangerous goods forbidden on passenger and/or cargo aircraft where the Technical Instructions state that such goods may be carried with an approval; or
- b) other purposes as provided for in the Technical Instructions.

Note.— In the absence of a specific reference in the Technical Instructions allowing the granting of an approval, an exemption may be sought.

Baggage. Personal property of passengers or crew carried on an aircraft by agreement with the operator.

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	The amendment to Annex 18 includes the addition of references to baggage. The definition is replicated from Annex 9 and the Technical Instructions.

Cargo. Any property carried on an aircraft other than mail and accompanied or mishandled baggage.

Note.— This definition differs from the definition of “cargo” given in Annex 9 — Facilitation.

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	The term is referred to in Annex 18. The definition is replicated from the Technical Instructions.

Cargo aircraft. ~~Any aircraft, other than a passenger aircraft, which is carrying goods or property.~~

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	The definition is considered unnecessary. It has been wrongly interpreted by some States to determine who can be on an aircraft, when that determination is governed by Annex 6. Deleting it will help avoid such misinterpretations.

Civil aviation authority (CAA). The governmental entity or entities, however titled, that are directly responsible for the regulation of all aspects of civil air transport, technical (i.e. air navigation and aviation safety) and economic (i.e. the commercial aspects of air transport).

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	The term is referred to in Annex 18. The definition is replicated from the <i>Safety Oversight Manual</i> (Doc 9734).

Consignment. One or more packages of dangerous goods accepted by an operator from one shipper at one time and at one address, receipted for in one lot and moving to one consignee at one destination address.

Crew member. A person assigned by an operator to duty on an aircraft during a flight duty period.

Dangerous goods accident. An occurrence associated with and related to the transport of dangerous goods by air, not necessarily occurring on board an aircraft, which results in fatal or serious injury to a person or major property or environmental damage.

Note.— A dangerous goods accident may also constitute an aircraft accident as defined in Annex 13— Aircraft Accident and Incident Investigation.

<i>Origin:</i>	<i>Rationale:</i>
DGP/26 and DGP/29	Clarification that a dangerous goods accident is not restricted to an accident associated with the operation of an aircraft. The wording aligns with text in the definition for dangerous goods incident. It is important to capture accidents not associated with the operation of an aircraft because they could indicate a safety deficiency that might have resulted in an aircraft accident if the dangerous goods had been loaded on the aircraft. (see DGP/26 Report and DGP/26-IP/6)

Dangerous goods incident. An occurrence, other than a dangerous goods accident, associated with and related to the transport of dangerous goods by air, not necessarily occurring on board an aircraft; ~~which results in injury to~~ where:

a) a person; is injured;

b) there is property or environmental damage;

c) there is fire, breakage, spillage, leakage of fluid contents or radiation or there is other evidence that the integrity of the packaging has not been maintained. ~~Any; or~~

d) ~~occurrence relating to the transport of dangerous goods which seriously jeopardizes the~~ safety of the aircraft or its occupants ~~is also deemed to constitute a~~ is jeopardized.

Note.— A dangerous goods incident may also constitute an aircraft incident as defined in Annex 13 — Aircraft Accident and Incident Investigation.

<i>Origin:</i>	<i>Rationale:</i>
DGP/26 and DGP/29	— Editorial amendments to improve readability (see DGP/26 Report and DGP/26-IP/6). — “fluid” is replaced with “contents” to include solids. — Note added to establish relationship between a dangerous goods incident and an aircraft incident under Annex 13. It is similar to the one added under “Dangerous goods accident”.

Designated postal operator. Any governmental or non-governmental entity officially designated by a Universal Postal Union (UPU) member country to operate postal services and to fulfil the related obligations arising from the acts of the UPU Convention on its territory.

Exception. A provision in this Annex which excludes a specific item of dangerous goods from the requirements normally applicable to that item.

Exemption. An authorization, other than an approval, granted by an appropriate national authority providing relief from the provisions of the Technical Instructions.

Flight crew member. A licensed crew member charged with duties essential to the operation of an aircraft during a flight duty period.

Misdeclared dangerous goods. Dangerous goods offered for transport by air that are identified to not be in accordance with the information provided on the dangerous goods transport document or other documentation, when applicable.

Note.— Dangerous goods identified by the operator during the acceptance check as not being in compliance with the applicable provisions of the Technical Instructions are not included in this definition.

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	The term is referred to in Annex 18.

Mail. Dispatches of correspondence and other items tendered by, and intended for delivery to, postal services in accordance with the rules of the Universal Postal Union (UPU).

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	The term is referred to in Annex 18.

Operator. A person, organization or enterprise engaged in or offering to engage in an aircraft operation.

Overpack. An enclosure used by a single shipper to contain one or more packages and to form one handling unit for convenience of handling and stowage.

Note.— A unit load device is not included in this definition.

Package. The complete product of the packing operation consisting of the packaging and its contents prepared for transport.

Packaging. ~~Receptacles~~ One or more receptacles and any other components or materials necessary for the ~~receptacle~~ receptacles to perform ~~its~~ their containment ~~function~~ and other safety functions.

Note.— For radioactive material, see Part 2, paragraph 7.2.1.3 of the Technical Instructions.

<i>Origin:</i>	<i>Rationale:</i>
DGP/27 AN Min. 213-3	Recommended by DGP/27 (Recommendation 1/1). Harmonizes the definition with the one contained in the UN Recommendations on the Transport of Dangerous Goods and corrects an out-of-date reference in the note. The definition is also contained in the Technical Instructions and already aligns with the UN Model Regulations. The Air Navigation Commission made a preliminary review of Recommendation 1/1 and, noting the amendment was editorial in nature, agreed that it should be referred for comments to Contracting States and appropriate international organizations, together with the Commission's own comments and proposals thereon, only as part of a more substantive amendment to Annex 18. (AN Min. 213-3)

Passenger aircraft. ~~An aircraft that carries any person other than a crew member, an operator's employee in an official capacity, an authorized representative of an appropriate national authority or a person accompanying a consignment or other cargo.~~

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	

	The definition is considered unnecessary. It has been wrongly interpreted by some States to determine who can be on an aircraft, when that determination is governed by Annex 6. Deleting it will help avoid such misinterpretations.
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Pilot-in-command. The pilot designated by the operator, or in the case of general aviation, the owner, as being in command and charged with the safe conduct of a flight.

Remote pilot-in-command. The remote pilot designated by the operator as being in command and charged with the safe conduct of a flight.

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	The term is referred to in Annex 18.

Safety management system (SMS). A systematic approach to managing safety, including the necessary organizational structures, accountabilities, policies and procedures.

Serious injury. An injury which is sustained by a person in an accident and which:

- a) requires hospitalization for more than 48 hours, commencing within seven days from the date the injury was received; or
- b) results in a fracture of any bone (except simple fractures of fingers, toes or nose); or
- c) involves lacerations which cause severe haemorrhage, nerve, muscle or tendon damage; or
- d) involves injury to any internal organ; or
- e) involves second or third degree burns, or any burns affecting more than 5 per cent of the body surface; or
- f) involves verified exposure to infectious substances or injurious radiation.

State of Destination. The State in the territory of which the consignment is finally to be unloaded from an aircraft.

State of Origin. The State in the territory of which the consignment is first to be loaded on an aircraft.

State of the Operator. The State in which the operator's principal place of business is located or, if there is no such place of business, the operator's permanent residence.

Technical Instructions. The *Technical Instructions for the Safe Transport of Dangerous Goods by Air* (Doc 9284), approved and issued periodically in accordance with the procedure established by the ICAO Council.

Undeclared dangerous goods. Dangerous goods offered for transport by air where there is no dangerous goods transport document or other documentation, when permitted, describing the contents as containing dangerous goods or the package is not marked or labelled to identify the contents as containing dangerous goods, as required by the Technical Instructions.

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	The term is referred to in Annex 18.

UN number. The four-digit number assigned by the United Nations Committee of Experts on the Transport of Dangerous Goods and on the Globally Harmonized System of Classification and Labelling of Chemicals to identify an article or substance or a particular group of articles or substances.

Unit load device (ULD). Any type of freight container, A device for grouping and restraining cargo, mail and baggage for air transport. It is either an aircraft container, or a combination of an aircraft pallet with a net, or and an aircraft pallet with a net over an igloo. Any type of freight container, aircraft container, aircraft pallet with a net, or aircraft pallet with a net over an igloo. A ULD is designed to be directly restrained by the aircraft cargo loading system.

Note 1.— An overpack is not included in this definition.

Note 2.— A freight container for radioactive material is not included in this definition (see Part 2, paragraph 7.1.3 of the Technical Instructions).

<i>Origin:</i>	<i>Rationale:</i>
DGP/29 and DGP- WG/23	The definition has been in the Annex since its first edition. It is also contained in the Technical Instructions. The wording refers to older terminology and to articles that are no longer used. The amendment modernizes the terminology. The addition of Note 2 is made for the sake of alignment with the definition in the Technical Instructions. It was added to the Technical Instructions to differentiate a freight container for radioactive material from a ULD, because the former has specific characteristics that do not necessarily apply to a ULD. It was never made The amendment will ensure this concept is clear and ensure alignment between the two documents.



CHAPTER 2. APPLICABILITY GENERAL

2.1 Objective

Each State shall have as a primary objective in the transport of dangerous goods by air the safety of the aircraft, its occupants, ground personnel, the general public and the environment.

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	The safe transport of dangerous goods by air is dependent on the diligence of entities both within and outside the aviation system. The primary objective when using aviation to transport or carry dangerous goods for those outside the aviation system is not typically the safety of the aircraft and its occupants. It is therefore important to make this the primary objective when it comes to the safe transport of dangerous goods by air in addition to those entities that could be impacted by dangerous goods by other modes (i.e. ground personnel, the general public and the environment). This SARP is based on 2.1.1 of Annex 17 — <i>Security</i> , another Annex that deals with entities outside the aviation system.

2.1.2 General Applicability

~~2.1.1~~ 2.2.1 The Standards and Recommended Practices of this Annex shall be applicable to ~~all~~ international operations of civil aircraft aviation.

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	a) “General” is removed for the sake of consistency with other Annexes. b) Applying the Annex to aviation rather than to the operation of the aircraft is intended to ensure that entities other than the operator that contribute to the safe transport of dangerous goods are covered by this Annex.

The following is moved from 2.3:

2.2.2 Recommendation. ~~In the interests of safety and of minimizing interruptions to the international transport of dangerous goods, Each Contracting States should also take the necessary measures to achieve compliance with~~ apply the Standards and Recommended Practices contained in this Annex ~~and the Technical Instructions for~~ to domestic civil aircraft operations aviation.

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	a) The provision relates to the applicability of the Annex and the Technical Instructions to domestic civil aircraft operations. There is a current recommendation to take the necessary measures to achieve compliance with the Annex and the Technical Instructions to domestic transport, but it is currently located outside of the applicability section of Chapter 2 (2.3). It is therefore proposed to move the recommended practice under the international applicability SARP. b) “Each” is added before “Contracting State” for the sake of consistency.

	<p>c) The current recommendation refers to the Annex and the Technical Instruction. Removing the reference to the Technical Instructions is proposed as it is considered redundant, given that Annex 18 makes the document binding on a State.</p> <p>d) It is proposed to replace “to achieve compliance” with “apply” for the sake of clarity and consistency.</p> <p>e) Text referring to “the interests of safety and minimizing interruptions to the international transport of dangerous goods” is considered more appropriate as guidance material. It is therefore proposed to remove it from the recommended practice and to elaborate on the concept in a new guidance document to support the implementation of Annex 18 (<i>Oversight and Management of the Safe Transport of Dangerous Goods by Air Manual (Doc xxxxx, forthcoming)</i>).</p> <p>f) “to domestic aircraft operations” is replaced with “to domestic civil aviation” to align with the revision to the previous SARP for the same reason, i.e. to ensure that entities other than the operator that contribute to the safe transport of dangerous goods are covered.</p>
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The following is moved from 2.4.1:

~~2.4.1~~ 2.2.3 Articles and substances which would otherwise be ~~classified~~ classified as dangerous goods but which are required to be aboard the aircraft in accordance with the pertinent airworthiness requirements and operating regulations, or for those specialized purposes identified in the Technical Instructions, shall be excepted from the provisions of this Annex.

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	The provision in current 2.4.1 relates to the applicability of the Annex and the Technical Instructions, but it is currently located outside of the applicability section of Chapter 2. It is therefore proposed to move the Standard to this section, i.e. the applicability section.

The following is moved from 2.4.2:

~~2.4.2~~ 2.2.4 Where articles and substances intended as replacements for those described in ~~2.4.1~~ 2.2.3 or which have been removed for replacement are carried on an aircraft, they shall be transported in accordance with the provisions of this Annex except as permitted in the Technical Instructions.

The following is moved to new 2.4.2.1:

~~2.1.2~~ Where specifically provided for in the Technical Instructions, the States concerned may grant an approval provided that in such instances an overall level of safety in transport which is equivalent to the level of safety provided for in the Technical Instructions is achieved.

The following is moved to new 2.4.2.2:

~~2.1.3~~ In instances:

~~a) of extreme urgency; or~~

~~b) when other forms of transport are inappropriate; or~~

~~c) when full compliance with the prescribed requirements is contrary to the public interest;~~

~~the States concerned may grant an exemption from the provisions of the Technical Instructions provided that in such instances every effort shall be made to achieve an overall level of safety in transport which is equivalent to the level of safety provided for in the Technical Instructions.~~

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	It is proposed to move the approval and exemption provisions from the applicability section to the limitation on the transport of dangerous goods by air section because they are more associated with the latter than with applicability. Approvals and exemptions are already mentioned in that section, so keeping all the relevant SARPs together makes them more comprehensive.

~~2.1.4 For the State of Overflight, if none of the criteria for granting an exemption are relevant, an exemption may be granted based solely on whether it is believed that an equivalent level of safety in air transport has been achieved.~~

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	The Standard in 2.1.4 is proposed for deletion as it is considered more appropriate to address its intent, which is not clear by the wording, in guidance material. The intent of the SARP is to address challenges faced by the State of Overflight when considering whether to grant an exemption when the criteria for granting it are not applicable to that State. The challenges faced by the State of overflight are transferred to applicants, who are often unable to acquire an exemption. Addressing the issue through guidance will allow for more comprehensive assistance to States on the subject.

Note 1 is moved to under 2.4.2.1 and Notes 2 and 3 are moved to under 2.4.2.2:

~~Note 1. For the purpose of approvals, “States concerned” are the States of Origin and the Operator, unless otherwise specified in the Technical Instructions.~~

~~Note 2. For the purpose of exemptions, “States concerned” are the States of Origin, Operator, Transit, Overflight and Destination.~~

~~Note 3. Guidance for the processing of exemptions, including examples of extreme urgency, may be found in the Supplement to the Technical Instructions (Part S-1, Chapter 1, 1.2 and 1.3).~~

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	Note 1 is specific to approvals and Notes 2 and 3 are specific to the exemptions. It is proposed to move Note 1 under the provision for approvals (now 2.4.2.1) and Notes 2 and 3 under the provision for exemptions (now 2.4.2.2) to improve clarity.

~~Note 4. Refer to 4.3 for dangerous goods forbidden for transport by air under any circumstances.~~

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	The note is necessary in the current Annex because the provisions for approvals and exemptions and the provisions for dangerous goods forbidden under any circumstance are in different sections of this chapter. This is no longer necessary, since all of these provisions are proposed for inclusion in the same location, i.e. the limitation on the transport of dangerous goods section.

Note 5 is moved to under the title of Chapter 6 (Operator’s Responsibilities) as Note 4:

— *Note 5. It is not intended that this Annex be interpreted as requiring an operator to transport a particular article or substance or as preventing an operator from adopting special requirements on the transport of a particular article or substance.*

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	The note is moved to Chapter 6: Operator responsibilities as Note 4. The note is currently under the provisions for approvals and exemptions, but its application goes beyond these. Moving the note to Chapter 6 makes the provisions for operators more comprehensive.

2.22.3 Compliance with the Dangerous Goods Technical Instructions

~~2.2.1~~2.3.1 Each ~~Contracting~~ State shall take the necessary measures to aimed at ensuring that any entity that offers, handles, transports or causes to be offered, handled or transported dangerous goods in cargo or mail achieves compliance with the detailed provisions contained in the Technical Instructions.

2.3.2 Each State shall take measures aimed at ensuring that passengers and crew members achieve compliance with the detailed provisions contained in Part 8 of the Technical Instructions.

~~2.3.3~~ Each ~~Contracting~~ State shall ~~also take the necessary~~ measures to ensure the entities referred to in 2.3.1 and 2.3.2 achieve compliance with any amendment to the Technical Instructions which may be published during the specified period of applicability of an edition of the Technical Instructions.

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	<ul style="list-style-type: none"> a) The revision to the heading in 2.3 is proposed to better describe the intent of the section. b) Which entities are subject to the Technical Instructions has been the subject of extensive discussions on the Dangerous Goods Panel, specifically with respect to whether entities handling cargo but not intending to handle dangerous goods can be subject to them. Entities such as freight forwarders play an important role in preventing undeclared dangerous goods from being introduced into the air cargo system, so there has been a desire by members of the DGP to require training on how to identify and reject dangerous goods for all such entities, even if they do not intend to handle them. Some States do not have authority to enforce dangerous goods regulations on entities not performing functions described in the Technical Instruction. However, they do have authority over a person or organization once they have performed a dangerous goods function, such as offering cargo for transport that includes dangerous goods, regardless of whether they knowingly or unknowingly perform the function. The amendment to is intended to capture this concept.

	<p>c) The current Standard could incorrectly be interpreted to imply that the State needs to comply with the detailed provisions contained in the Technical Instructions. It is the entities performing functions related to the transport of dangerous goods by air and passengers and crew carrying dangerous goods that need to achieve compliance. The proposed amendment makes who needs to comply with the Technical Instructions clear. It separates the provision into two, one to address those dealing with dangerous goods in cargo or mail (2.3.1) and the other to address passengers and crew carrying dangerous goods (2.3.2).</p> <p>c) Current 2.2.1 contains two Standards. An editorial amendment is proposed to create a separate Standard for compliance with any amendment to the Technical Instructions (2.3.3).</p>
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The following is moved to 4.3:

~~2.2.2~~ **Recommendation.** ~~Each Contracting State should inform ICAO of difficulties encountered in the application of the Technical Instructions and of any amendments which it would be desirable to make to them.~~

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	It is proposed to move the requirement for States to inform ICAO of difficulties applying the Technical Instructions to a proposed new Chapter 3: Provision of information to ICAO. The new chapter is intended to contain all requirements related to providing ICAO with information in one place.

~~2.2.3~~ **2.3.4 Recommendation.** ~~Although an amendment to the Technical Instructions with an immediate applicability for reasons of safety may not yet have been implemented in a Contracting State, such State should, nevertheless, facilitate the movement of dangerous goods in its territory which are consigned from another Contracting State in accordance with that amendment, providing the goods comply in total with the revised requirements.~~

The following is moved from 2.6:

~~2.6~~ **2.3.5 Surface transport** **Multimodal transport**

Recommendation. ~~States~~ ~~Each State~~ ~~should make provisions~~ take measures to enable dangerous goods intended for air transport and prepared in accordance with the ICAO Technical Instructions to be accepted for ~~surface~~ transport by other modes of transport to or from aerodromes.

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	<p>a) The amendment to the heading is proposed because multimodal transport is a common term in the dangerous goods world and makes the intent of the provision easier to understand.</p> <p>b) Editorial revisions are proposed for the sake of clarity and consistency.</p> <p>c) The references to “ICAO” is unnecessary as there is now a definition for “Technical Instructions”.</p> <p>d) It is proposed to move the recommendation from its current location to this location so that all provisions related to the Technical Instructions are in one place.</p>

2.4 Limitation on the transport of dangerous goods by air

The following is moved from 4.1:

4.1.2.4.1 Dangerous goods permitted for transport by air

2.4.1.1 Each State shall only permit ~~The transport of dangerous goods as cargo or mail by air shall be forbidden except as established in this Annex and the detailed specifications and procedures provided in provisions of the Technical Instructions.~~

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	<ul style="list-style-type: none"> a) Moved from Chapter 4 (Limitation on the transport of dangerous goods by air) to keep the general regulatory framework for transport of dangerous goods by air in one place. b) Editorial revisions to the Standard are proposed to improve clarity by aligning the wording with the header. c) “Each Contracting State” is added to reflect the fact that the SARP is directed at the State. d) The addition of a reference to cargo or mail is proposed to differentiate from passenger baggage in the next SARP (2.4.1.2). e) “specifications and procedures” is replaced with “provisions” for the sake of consistency with other parts of the Annex.

2.4.1.2 Each State shall only permit the carriage of dangerous goods by passengers or crew members when specifically permitted in accordance with Part 8 of the Technical Instructions.

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	<ul style="list-style-type: none"> a) New Standard which replaces the exception from the Annex of specific articles and substances carried by passengers or crew members currently contained in 2.4.3 because dangerous goods carried by passengers and crew are not excepted from the Annex. They are forbidden unless specifically permitted in the Technical Instructions, and there are criteria for allowing them there. b) Having the provision here clarifies the distinction between dangerous goods carried as cargo and dangerous good carried by passengers and crew and the fact that they are both covered by the Annex

The following heading and Standard are moved from 4.2:

4.2.2.4.2 Dangerous goods forbidden for transport by air unless approved or exempted

~~The dangerous goods described hereunder shall be forbidden on aircraft unless exempted by the States concerned under the provisions of 2.1 or~~ **Each State shall not permit the transport of dangerous goods identified in the Technical Instructions as being forbidden for transport by air under normal circumstances** ~~unless the provisions of the Technical Instructions indicate they may be transported under an approval granted by the State of Origin.~~ **States concerned in accordance with 2.4.2.1 or an exemption granted by the States concerned in accordance with 2.4.2.2.**

- ~~a) dangerous goods that are identified in the Technical Instructions as being forbidden for transport in normal circumstances; and~~
- ~~b) infected live animals.~~

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	<ul style="list-style-type: none">a) Moved from Chapter 4 (Limitation on the transport of dangerous goods by air) to keep the general regulatory framework for transport of dangerous goods by air in one place.b) The addition of “approved” in the heading is proposed because the SARP refers to both approvals and exemptions.c) “Each Contracting State shall not permit ...” added to reflect the fact that the SARP is directed at the State.d) Editorial amendments to clarify intent.e) The references to exemption and approval provisions have changed because it is proposed to move these provisions from the general applicability section to this section.f) Reference to only State of Origin for an approval is inconsistent with what is currently in the general applicability section, which includes the State of the Operator as part of the approval process. “States concerned” is explained under the specific provisions for approvals (2.4.2.1) and exemptions (2.4.2.2) below.g) Deleted “infected live animals” because this is covered by the Technical Instructions.

2.4.2.1 Approvals

The following Standard is moved from 2.1.2:

2.1.2—Where specifically provided for in the Technical Instructions, the States concerned may grant an approval provided that in such instances an overall level of safety in transport which is equivalent to the level of safety provided for in the Technical Instructions is achieved.

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	<ul style="list-style-type: none">a) Moved from the current general applicability section in 2.1.2 as it relates more to the limitation provisions than to applicability provisions.b) Addition of heading for the sake of clarity.

The following noted is moved from 2.1 (below 2.1.4):

~~**Note 1**~~— For the purpose of approvals, “States concerned” are the States of Origin and the Operator, unless otherwise specified in the Technical Instructions.

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	The note applies to the States concerned when issuing an approval. It is moved from under 2.1.4 (Note 1) so that it is directly below the approval provision.

2.4.2.2 Exemptions

The following Standard is moved from 2.1.3:

2.1.3—In instances:

- a) of extreme urgency; or
- b) when other forms of transport are inappropriate; or

- c) when full compliance with the prescribed requirements is contrary to the public interest,

the States concerned may grant an exemption from the provisions of the Technical Instructions provided that in such instances every effort shall be made to achieve an overall level of safety in transport which is equivalent to the level of safety provided for in the Technical Instructions.

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	a) Moved from the current general applicability section in 2.1.3 as it relates more to the limitation provisions than to applicability provisions. b) Addition of heading for the sake of clarity.

The following note is moved from 2.1 (below 2.1.4):

Note-2 1.— For the purpose of exemptions, “States concerned” are the States of Origin, Operator, Transit, Overflight and Destination.

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	The note applies to the States concerned when issuing an exemption. It is moved from under 2.1.4 (Note 2) so that it is directly below the exemption provision.

The following note is moved from 2.1 (below 2.1.4):

Note-3 2.— Guidance for the processing of exemptions, including examples of extreme urgency, may be found in the ~~Supplement to the Technical Instructions (Part S 1, Chapter 1, 1.2 and 1.3)~~ Oversight and Management of the Safe Transport of Dangerous Goods by Air Manual (Doc xxxxx, forthcoming), Chapter yy.

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	The guidance for processing of exemptions is currently contained in the Supplement to the Technical Instructions, but it is proposed to move all guidance specific to States from the Supplement to a new manual so that all guidance is consolidated in one place. The note is updated accordingly.

The following heading and Standard are moved from 4.3:

4.3.2.4.3 Dangerous goods forbidden for transport by air under any circumstances

Articles and substances that are specifically identified by name or by generic description in the Technical Instructions as being forbidden for transport by air under any circumstances shall not be carried on any aircraft.

2.4.3.1 Each State shall forbid any article or substance to be transported by air under any circumstance if, as presented for transport, it is liable to explode, dangerously react, produce a flame or dangerous evolution of heat or dangerous emission of toxic, corrosive or flammable gases or vapours under conditions normally encountered in transport.

2.4.3.2 Each State shall not grant approvals or exemptions for articles and substances identified in 2.4.3.1.

Note.— Guidance on dangerous goods forbidden for transport under any circumstance is provided in Doc xxxx (forthcoming), Chapter yy.

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	<p>a) Moved from Chapter 4 (Limitation on the transport of dangerous goods by air) to keep the general regulatory framework for transport of dangerous goods by air in one place.</p> <p>b) The current SARP in 4.3 refers to articles or substances specifically identified by name or by generic description in the Technical Instructions as being forbidden for transport under and circumstance. The Technical Instructions make it clear that it is not possible to list all dangerous goods that should be forbidden under any circumstance. It is therefore proposed to include an explanation of what cannot be safely transported on an aircraft in the SARP and to include guidance for determining this in the new document referred to in the note.</p> <p>c) States should not grant approvals or exemptions to transport such articles or substances. New 2.4.3.2 makes this clear.</p>

The following is moved to 2.2:

2.3 — Domestic civil aircraft operations

~~— **Recommendation.** — *In the interests of safety and of minimizing interruptions to the international transport of dangerous goods, Contracting States should also take the necessary measures to achieve compliance with the Annex and the Technical Instructions for domestic civil aircraft operations.*~~

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	The recommendation relates to the applicability of the Annex and the Technical Instructions to domestic civil aircraft operations. It is therefore proposed to move the recommended practice to the applicability section of this chapter (2.2.2).

The following is moved to 2.2.3:

2.4 — Exceptions

~~— 2.4.1 — *Articles and substances which would otherwise be classed as dangerous goods but which are required to be aboard the aircraft in accordance with the pertinent airworthiness requirements and operating regulations, or for those specialized purposes identified in the Technical Instructions, shall be excepted from the provisions of this Annex.*~~

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	The SARP relates to the applicability of the Annex and the Technical Instructions. It is therefore proposed to move it to the applicability section of this chapter (2.2.3).

The following is moved to Chapter 6:

~~— 2.4.2 — *Where articles and substances intended as replacements for those described in 2.4.1 or which have been removed for replacement are carried on an aircraft, they shall be transported in accordance with the provisions of this Annex except as permitted in the Technical Instructions.*~~

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	This SARP is proposed to be captured in Chapter 6 — Operator Responsibilities. Chapter 6 is intended to outline the dangerous goods elements the State of the Operator needs to consider when authorizing an operator to conduct air transport operations. How an operator ensures that articles and substances classified as dangerous goods which are intended as replacements is one of those elements. Addressing this in Chapter 6 instead of this chapter allows for a comprehensive list of elements to be considered.

~~2.4.3 Specific articles and substances carried by passengers or crew members shall be excepted from the provisions of this Annex to the extent specified in the Technical Instructions.~~

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	The exception for dangerous goods carried by passengers and crew is proposed for deletion because they are not excepted from the Annex. They are forbidden unless specifically permitted in the Technical Instructions, and there are criteria for allowing them there. A new SARP related to dangerous goods carried by passengers and crew is proposed for inclusion under Dangerous goods permitted for transport by air (see proposed 2.4.1) and a new chapter devoted to dangerous goods permitted for carriage by passengers and crew (Chapter 7).

The is moved to 3.2:

2.5 Notification of variations from the Technical Instructions

~~2.5.1 Where a Contracting State adopts different provisions from those specified in the Technical Instructions, it shall notify ICAO promptly of such State variations for publication in the Technical Instructions.~~

~~*Note.* Contracting States are expected to notify a difference to the provisions of 2.2.1 under Article 38 of the Convention only if they are unable to accept the binding nature of the Technical Instructions. Where States have adopted different provisions from those specified in the Technical Instructions, they are expected to be reported only under the provisions of 2.5.~~

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	The requirement for States to inform ICAO of State variations is proposed to be moved to a new Chapter 3: Provision of information to ICAO. The new chapter is proposed so that all requirements related to providing ICAO with information is in one place.

~~2.5.2 **Recommendation.** The State of the Operator should take the necessary measures to ensure that when an operator adopts more restrictive requirements than those specified in the Technical Instructions, the notification of such operator variations is made to ICAO for publication in the Technical Instructions.~~

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	Few operator variations are reported to ICAO, and updates to already reported variations are not always provided. Users of the Technical Instructions cannot depend on these variations. Operator variations are more reliably reported to industry and included in industry regulations. It is therefore proposed that the recommendation be deleted.

The following is moved to 2.3.1.3:

~~2.6~~ — Surface transport

~~— **Recommendation.** — States should make provisions to enable dangerous goods intended for air transport and prepared in accordance with the ICAO Technical Instructions to be accepted for surface transport to or from aerodromes.~~

The following is moved to Chapter 4.1:

~~2.7~~ — National authority

~~Each Contracting State shall designate and specify to ICAO an appropriate authority within its administration to be responsible for ensuring compliance with this Annex.~~

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	The requirement for States to designate and specify to ICAO an appropriate authority within its administration to be responsible for ensuring compliance with this Annex is proposed to be moved to a new Chapter 3: Provision of information to ICAO. The new chapter is proposed so that all requirements related to providing ICAO with information is in one place.

CHAPTER 3. CLASSIFICATION

The classification of an article or substance shall be in accordance with the provisions of the Technical Instructions.

— Note. — The detailed definitions of the classes of dangerous goods are contained in the Technical Instructions. These classes identify the potential risks associated with the transport of dangerous goods by air and are those recommended by the United Nations Committee of Experts on the Transport of Dangerous Goods.

<p><i>Origin:</i></p> <p>DGP/29</p>	<p><i>Rationale:</i></p> <p>The intent of this Standard is to ensure anyone preparing a package containing dangerous goods for transport classifies the hazards associated with the dangerous goods in accordance with the Technical Instructions. However, the Standard does not make this clear nor does it make the obligation that the Standard places on a State clear. A new Chapter 5 on the safety of the supply chain is proposed which captures the intent and State obligation of this SARP and similar SARPs in current Chapters 5 (Packing), 6 (Labelling and marking) and 7 (Shipper's responsibilities).</p>
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CHAPTER 3. PROVISION OF INFORMATION TO ICAO

The following is moved from 2.7:

2.7.3.1 National authority

Each ~~Contracting~~ State shall designate and specify to ICAO an appropriate **national** authority within its administration to be responsible for ensuring compliance with this Annex.

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	a) Proposed to be moved from Chapter 2 to this chapter so that all SARPs related to providing information to ICAO are in one place. b) Some States have more than one authority responsible for ensuring compliance with this Annex, so “an appropriate authority” is replaced with “the authorities”.

The following is moved from 2.5:

2.5.3.2 Notification of variations from the Technical Instructions

2.5.1—Where a ~~Contracting~~ State adopts different provisions from those specified in the Technical Instructions, it shall notify ICAO promptly of such State variations for publication in the Technical Instructions.

Note.— ~~Each Contracting State~~ **is** expected to notify a difference to the provisions of ~~2.2.1~~ **2.3.1 and 2.3.2** under Article 38 of the Convention only if they are unable to accept the binding nature of the Technical Instructions. Where States have adopted different provisions from those specified in the Technical Instructions, they are expected to be reported only under the provisions of ~~2.5~~ **3.2**.

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	Proposed to be moved from Chapter 2 to this chapter so that all SARPs related to providing information to ICAO are in one place.

3.3 Difficulties encountered in the application of the Technical Instructions

The following is moved from 2.2.2:

2.2.2—Recommendation.— ~~Each Contracting State~~ should inform ICAO of difficulties encountered in the application of the Technical Instructions and of any amendments which it would be desirable to make to them.

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	a) Heading added to differentiate between other sections of this chapter b) Proposed to be moved from Chapter 2 to this chapter so that all SARPs related to providing information to ICAO are in one place.

~~CHAPTER 4. LIMITATION ON THE TRANSPORT OF DANGEROUS GOODS BY AIR~~

The following is moved to 2.4.1:

~~4.1 — Dangerous goods permitted for transport by air~~

~~The transport of dangerous goods by air shall be forbidden except as established in this Annex and the detailed specifications and procedures provided in the Technical Instructions.~~

The following is moved to 2.4.2:

~~4.2 — Dangerous goods forbidden for transport by air unless exempted~~

~~The dangerous goods described hereunder shall be forbidden on aircraft unless exempted by the States concerned under the provisions of 2.1 or unless the provisions of the Technical Instructions indicate they may be transported under an approval granted by the State of Origin:~~

- ~~— a) dangerous goods that are identified in the Technical Instructions as being forbidden for transport in normal circumstances; and~~
- ~~— b) infected live animals.~~

The following is moved to 2.4.3:

~~4.3 — Dangerous goods forbidden for transport by air under any circumstances~~

~~Articles and substances that are specifically identified by name or by generic description in the Technical Instructions as being forbidden for transport by air under any circumstances shall not be carried on any aircraft.~~

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	<p>The SARPs currently in Chapter 4 for the limitation on the transport of dangerous goods are moved to Chapter 2 to keep the general regulatory framework for transport of dangerous goods by air in one place.</p> <p>It is proposed that Chapter 4 contain safety management provisions specific to dangerous goods.</p>

CHAPTER 4. STATE SAFETY MANAGEMENT RESPONSIBILITIES

<i>Origin:</i> DGP/29	<i>Rationale:</i> A new chapter on State safety management responsibilities specific to dangerous goods is proposed with the aim of ensuring all entities involved with the safe transport of dangerous goods are working towards the level of safety expected in aviation. Having a common understanding of safety presents challenges unique to dangerous goods transport because of the many entities involved, including regulatory authorities and industries outside the aviation system. The chapter is intended to make the fact that transporting dangerous goods is an integral part of the State safety programme required by Annex 19 and to ensure activities necessary to achieve targeted levels of safety specific to dangerous goods that go beyond what Annex 19 requires are covered. The structure of the chapter is based on the components of an SSP so that there are four sections, one for each component.
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Note 1.— The provisions for a State Safety Programme (SSP) contained in Chapter 3 to Annex 19 are applicable to this Annex. This chapter of Annex 18 contains specific State safety management responsibilities relevant to the safe transport of dangerous goods by air.

Note 2.— Guidance on an SSP is contained in the Safety Management Manual (SMM) (Doc 9859). Guidance on specific State safety management responsibilities relevant to the safe transport of dangerous goods by air is contained in Doc xxxx (forthcoming).

<i>Origin:</i> DGP/29	<i>Rationale:</i> Authorities involved with the safe transport of dangerous goods by air may not all be part of the aviation sector in some States. The notes are intended to ensure all are aware of the requirements for a State safety programme and the fact that the transport of dangerous goods by air is an integral part of it.
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4.1 State safety policy, objectives and resources

Note 1.— See 5.1 for primary aviation legislation applicable to the safe transport of dangerous goods by air.

Note 2.— See 5.2 and 7.1 for specific operating regulations applicable to the safe transport of dangerous goods by air.

<i>Origin:</i> DGP/29	<i>Rationale:</i> SARPs related to primary aviation legislation and specific operator regulations specific to dangerous goods are proposed for inclusion in Chapter 5. References to these sections in Notes 1 and 2 are proposed for the sake of comprehensiveness.
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Note 3.— Guidance on the establishment of authorities or government agencies supported by sufficient and qualified personnel and provided with adequate financial resources for the management of safety specific to dangerous goods is contained in Doc xxxx (forthcoming), Chapter yy.

Note 4.— Guidance on staffing, minimum qualification requirements and training for dangerous goods technical personnel involved in the regulation and oversight of transport of dangerous goods by air is contained in Doc xxxx (forthcoming), Chapter yyyy.

Note 5.— Guidance on coordination between appropriate national authorities that could have an impact on the transport of dangerous goods by air is contained in Doc xxxx (forthcoming), Chapter yyyy.

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	The SSP elements highlighted by Notes 3 to 4 are covered by the existing SARPs in Annex 19, so there is no need for SARPs specific to dangerous goods. However, they highlight areas that have been identified as needing to be strengthened through safety oversight audits. The notes refer to guidance on how these elements apply to dangerous goods and how they can be established.

4.2 State safety risk management

4.2.1 Approval and exemption obligations

Each State shall implement documented processes and procedures to ensure that individuals and organizations performing an activity related to the transport of dangerous goods by air meet the established requirements before they are allowed to exercise the privileges of an approval or exemption to conduct the relevant dangerous goods activity.

Note.— Guidance on the establishment of documented processes and procedures related to the granting of exemption and approval obligations is contained in Doc xxxx (forthcoming), Chapter yyyy.

<i>Origin:</i>	<i>Rationale:</i>
DGP/29 DGP/27	This Standard is aimed at ensuring States meet their responsibilities with respect to the granting of exemptions and approvals related to the transport of dangerous goods by air. The DGP has identified a need for additional guidance on the issuance of approvals and exemptions, particularly with respect to which entities the approval or exemption should be issued to and the relationship between the shipper, the operator and the State authorities processing them. Ensuring each Contracting State has documented process and procedures and providing guidance to assist them in developing them will help ensure States meet their exemption and approval obligations under Critical element 6.

4.2.2 Safety management system obligations

Note 1.— The transport of dangerous goods by air is included in the scope of the operator’s safety management system (SMS).

Note 2.— See Annex 6 — Operation of Aircraft, Part I — International Commercial Air Transport — Aeroplanes, Chapter 15 and Part IV — International Operations — Remotely Piloted Aircraft Systems, Chapter 15 for SARPs concerning hazards associated with the transport of items in the cargo compartment, the conduct of a specific safety risk assessment, and the responsibilities for the transport of dangerous goods.

<i>Origin:</i>	<i>Rationale:</i>
DGP/29 DGP/27	The notes are aimed at ensuring the State is aware how safety management system obligations apply to dangerous goods. A new SARP is unnecessary because Note 1 is a statement of fact and Note 2 is covered by the SARPs in Annex 6.

4.2.3 Dangerous goods safety investigations

Moved from 12.1 and 12.2:

~~— 12.1 With the aim of preventing the recurrence of dangerous goods accidents and incidents, each Contracting State shall establish procedures for investigating and compiling information concerning such accidents and incidents which occur in its territory and which involve the transport of dangerous goods originating in or destined for another State. Reports on such accidents and incidents shall be made in accordance with the detailed provisions of the Technical Instructions.~~

~~— 12.2 **Recommendation.** *With the aim of preventing the recurrence of dangerous goods accidents and incidents, each Contracting State should establish procedures for investigating and compiling information concerning such accidents and incidents which occur in its territory other than those described in 12.1. Reports on such accidents and incidents should be made in accordance with the detailed provisions of the Technical Instructions.*~~

4.2.3.1 Each State shall establish a process to investigate dangerous goods accidents and dangerous goods incidents reported in accordance with Chapter 10 in support of the management of safety in the State.

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	<p>This new Standard replaces the SARPs currently in 12.1 and 12.2 that require each Contracting State to establish procedures for investigating and compiling information concerning dangerous goods accidents and incidents which occur in its territory and involve the transport of dangerous goods originating or destined for another State and to report in accordance with the Technical Instructions and recommends the same when not originating or destined for another State.</p> <p>While accidents and incidents defined in accordance with Annex 13 apply to the operation of an aircraft, dangerous goods accidents and incidents defined in accordance with Annex 18 do not necessarily occur on board an aircraft. This SARP is intended to ensure that dangerous goods accidents or incidents that do not meet the criteria for accidents or incidents defined in Annex 13 are investigated. The investigation of an accident or incident that did not occur on board an aircraft is valuable because it may reveal safety deficiencies that need to be resolved to prevent another accident or incident and to prevent an incident from leading to an accident.</p> <p>The wording of the Standard is revised to:</p> <ul style="list-style-type: none">a) align with the wording in Annex 19;b) require the establishment of a process to conduct safety investigations for all accidents and incidents involving the transport of dangerous goods that are reported to the State regardless of where they occurred;c) remove the reference to compiling information because this is covered in new Chapter 10 which is proposed to contain provisions related to safety intelligence.

Moved from 12.3:

~~— 12.3 With the aim of preventing the recurrence of instances of undeclared or misdeclared dangerous goods in cargo, each Contracting State shall establish procedures for investigating and compiling information concerning such occurrences which occur in its territory and which involve the transport of dangerous goods originating in or destined~~

for another State. Reports on such instances shall be made in accordance with the detailed provisions of the Technical Instructions.

~~12.4 Recommendation. With the aim of preventing the recurrence of instances of undeclared or misdeclared dangerous goods in cargo, each Contracting State should establish procedures for investigating and compiling information concerning such occurrences which occur in its territory other than those described in 12.3. Reports on such instances should be made in accordance with the detailed provisions of the Technical Instructions.~~

4.2.3.2 Each State shall implement a risk-based process for the investigation of:

- a) occasions when undeclared or misdeclared dangerous goods are discovered in cargo or mail;
- b) occasions when dangerous goods not permitted in passenger or crew baggage are discovered; and
- c) other safety issues

which are reported in accordance with Chapter 10 in support of the management of safety in the State.

Origin:	Rationale:
DGP/29	<p>This new Standard replaces the SARPs currently in 12.3 and 12.4 that require each Contracting State to establish procedures for investigating and compiling information concerning occurrences of undeclared or misdeclared dangerous in cargo which occur in its territory and involve the transport of dangerous goods originating or destined for another State and to report in accordance with the Technical Instructions and recommends the same when not originating or destined for another State.</p> <p>The new Standard is revised to:</p> <ul style="list-style-type: none"> a) emphasize the need for the process to be risk-based; b) require the establishment of the risk-based process for all occurrences of undeclared dangerous goods involving the transport of dangerous goods that are reported to the State regardless of where they occurred; c) expand the requirement to dangerous goods discovered in passengers and crew baggage that are not permitted and to other safety issues. d) remove the reference to compiling information because this is covered in new Chapter 10 which is proposed to contain provisions related to safety intelligence. <p>The expansion of the requirement to dangerous goods discovered in passengers and crew baggage is made to reflect a long-standing requirement in the Technical Instructions. Prohibited dangerous goods pose a safety risk if they are carried onboard aircraft by passengers and crew because they are either unaware of or deliberately ignore the requirements. Investigations should be conducted with the aim of reducing the likelihood of prohibited dangerous goods being carried by passengers and crew.</p>

Moved from 11.2:

~~Recommendation. 4.2.3.3 Each Contracting State should shall participate in cooperative efforts with other States concerning conducting dangerous goods safety investigations, as appropriate, with the aim of resolving safety issues and eliminating violations of dangerous goods regulations, with the aim of eliminating such violations. Cooperative efforts could include coordination of investigations and enforcement actions; exchanging information on a regulated party's compliance history; joint inspections and other technical liaisons, exchange of technical staff, and joint meetings and conferences. Appropriate information that could be exchanged include safety alerts, bulletins or~~

~~dangerous goods advisories; proposed and completed regulatory actions; incident reports; documentary and other evidence developed in the investigation of incidents; proposed and final enforcement actions; and educational/outreach materials suitable for public dissemination.~~

Note 1.— See 10.4 for requirements related to the exchange of information.

Note 2.— Guidance on dangerous goods safety investigations can be found in Doc xxxx (forthcoming), Chapter yy.

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	Revised to expand beyond violations of dangerous goods regulations to include any safety issue. The cooperation of States when conducting safety investigations of an international nature is critical for the resolution of dangerous goods safety issues. The recommendation is therefore upgraded to a SARP. The text proposed for deletion is not a Standard or a Recommended Practice, but it is helpful so it will be incorporated in the new guidance document to support implementation of Annex 18.

4.2.4 Hazard identification and safety risk assessment

4.2.4.1 Each State shall establish and maintain a process to identify the State’s system-level hazards associated with the transport of dangerous goods by air from collected safety data.

4.2.4.2 Each State shall develop and maintain a process that ensures the assessment of safety risks associated with hazards identified under 4.2.4.1.

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	See rationale under 4.2.5.

4.2.5 Management of safety risks

4.2.5.1 Dangerous goods transported as cargo or mail

4.2.5.1.1 Each State shall ensure that the mechanism for the resolution of safety issues required by Annex 19 addresses safety risks associated with dangerous goods offered, handled or transported or caused to be offered, handled or transported as cargo or mail by air.

4.2.5.1.2 Each State shall implement measures aimed at preventing dangerous goods not in compliance with the Technical Instructions from being transported in cargo or mail.

4.2.5.1.3 Each State shall implement measures aimed at ensuring that any entity that offers, handles or transports or causes to be offered, handled or transported dangerous goods in cargo or mail has processes and procedures in place to identify dangerous goods in cargo or mail that are not in compliance with the Technical Instructions and to prevent them from being offered for transport by air or loaded on an aircraft.

4.2.5.2 Dangerous goods carried by passengers or crew

4.2.5.2.1 Each State shall ensure that the mechanism for the resolution of safety issues required by Annex 19 addresses safety risks associated with dangerous goods carried by passengers and crew members.

4.2.5.2.2 Each State shall implement measures aimed at preventing passengers and crew members from carrying dangerous goods on board an aircraft which they are not permitted to carry.

4.2.5.2.3 Each State shall implement measures aimed at ensuring that entities handling baggage have processes and procedures in place to recognize dangerous goods not permitted to be carried by passengers and crew members and to prevent them from being carried on an aircraft when they are discovered.

Note.— Guidance on managing safety risks associated with dangerous goods is contained in Docs 10102 and Doc xxxx (forthcoming), Chapter yyyy.

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	Annex 19 requires that States establish and maintain processes for hazard identification, assessing safety risks and managing safety risks. Hazards introduced throughout the supply chain may pose significant safety risks to aviation. Annex 6 obligates the operator to consider the supply chain in its safety risk management activities. Supply chains impact multiple operators. It is therefore important for the State to assess system-wide hazards and manage system-wide safety risks the aim of improving system-wide safety.

4.3 State safety assurance

Moved from 11.1:

11.1— Inspection systems

~~Each Contracting State shall establish inspection, surveillance and enforcement procedures for all entities performing any function prescribed in its regulations for air transport of dangerous goods with a view to achieving compliance with those regulations.~~

~~— Note 1.— It is envisaged that these procedures would include provisions for:~~

~~— inspecting dangerous goods consignments prepared, offered, accepted or transported by the entities referred to in 11.1;~~

~~— inspecting the practices of the entities referred to in 11.1; and~~

~~— investigating alleged violations (see 11.3).~~

~~— Note 2.— Guidance on dangerous goods inspections and enforcement may be found in the Supplement to the Technical Instructions (Part S 5, Chapter 1 and Part S 7, Chapters 5 and 6).~~

Note.— Guidance on surveillance obligations and State safety performance required by Annex 19 specific to dangerous goods is contained in Doc xxxx (forthcoming), Chapter yyyy.

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	The current Standard in 11.1 requires inspection, surveillance and enforcement procedures for all entities performing any dangerous goods function prescribed in a State’s regulations. Requiring surveillance activities for all these entities is impossible to implement given the vast numbers performing dangerous goods functions and the fact that licence, certification, authorization or approval obligations do not apply to entities other than operators and designated postal operators. Inspection and enforcement procedures are covered by the SARPs for State safety risk management. The note provides guidance which will be incorporated in the new guidance manual. It will be aimed at ensuring the State is aware how Annex 19 surveillance obligations apply to dangerous goods.

4.4 State safety promotion

4.4.1 Dangerous goods transported as cargo or mail

4.4.1.1 Each State shall include activities aimed at preventing the transport of dangerous goods in cargo and mail by air which are not in compliance with the provisions of this Annex and the Technical Instructions in the State safety promotion activities required by Annex 19.

4.4.2 Dangerous goods carried by passengers or crew

4.4.2.1 Each State shall include activities aimed at preventing passengers and crew from carrying dangerous goods which they are forbidden to carry on an aircraft in the State safety promotion activities required by Annex 19.

Note.— See Part 8 of the Technical Instructions for dangerous goods carried by passengers and crew members.

4.4.3 Each Contracting State shall establish measures means to improve promote dangerous goods safety awareness and promote a positive safety culture throughout the supply chain.

Note.— Guidance related to State safety promotion and a positive safety culture specific to the safe transport of dangerous goods by air is contained in Doc xxxx (forthcoming), Chapter yyy.

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	State safety promotion specific to dangerous goods is needed for the same reasons it is needed in other aviation sectors. The new SARPs are needed because State safety promotion needs to extend beyond the aviation system. This is essential to the management of safety risks associated with the transport of dangerous goods, particularly the risk of non-compliance with dangerous goods regulations.

CHAPTER 5. — PACKING**5.1 — General requirements**

Dangerous goods shall be packed in accordance with the provisions of this chapter and as provided for in the Technical Instructions.

5.2 — Packagings

— 5.2.1 — Packagings used for the transport of dangerous goods by air shall be of good quality and shall be constructed and securely closed so as to prevent leakage which might be caused in normal conditions of transport, by changes in temperature, humidity or pressure, or by vibration.

— 5.2.2 — Packagings shall be suitable for the contents. Packagings in direct contact with dangerous goods shall be resistant to any chemical or other action of such goods.

— 5.2.3 — Packagings shall meet the material and construction specifications in the Technical Instructions.

— 5.2.4 — Packagings shall be tested in accordance with the provisions of the Technical Instructions.

— 5.2.5 — Packagings for which retention of a liquid is a basic function, shall be capable of withstanding, without leaking, the pressure stated in the Technical Instructions.

— 5.2.6 — Inner packagings shall be so packed, secured or cushioned as to prevent their breakage or leakage and to control their movement within the outer packaging(s) during normal conditions of air transport. Cushioning and absorbent materials shall not react dangerously with the contents of the packagings.

— 5.2.7 — No packaging shall be reused until it has been inspected and found free from corrosion or other damage. Where a packaging is reused, all necessary measures shall be taken to prevent contamination of subsequent contents.

— 5.2.8 — If, because of the nature of their former contents, uncleaned empty packagings may present a hazard, they shall be tightly closed and treated according to the hazard they constitute.

— 5.2.9 — No harmful quantity of a dangerous substance shall adhere to the outside of packages.

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	The provisions in this chapter are details contained in the Technical Instructions. The SARPs are therefore redundant. Packing requirements are now covered more generally by the SARP proposed in new Chapter 5, 5.2.1 b) 3).

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	A new chapter on the safety of the supply chain is proposed to more clearly outline the expectations of States. Current Annex 18 has three separate chapters that address responsibilities of entities involved with preparing and offering dangerous goods for transport. These are: Chapter 3 – Classification; Chapter 5 – Packing; Chapter 6 – Labelling and marking; and Chapter 7 – Shipper’s responsibilities. All of them point to the provisions of the Technical Instructions, with some provisions from the Technical Instructions repeated in the Annex. They do not directly state what is required of the State, and there does not appear to be any rationale for determining what should be repeated and what should simply be referred to. This new chapter clearly defines what is expected of the State, which is to adopt regulations directed at entities in the supply chain preparing, offering and transporting dangerous goods for transport by air. The new chapter lists the functions for which regulations are needed and refers to the applicable parts of the Technical Instructions where the detailed Instructions are found. Listing the functions provides the added benefit of an overview of how the Technical Instructions mitigate risk.

CHAPTER 5. SAFETY OF THE SUPPLY CHAIN

5.1 Primary aviation legislation (CE 1)

Each State shall promulgate laws that enable the oversight and safety management of entities that offer, handle, transport or cause to be offered, handled or transported dangerous goods by air, the resolution of safety issues and the enforcement of regulations through the relevant authorities established for that purpose.

5.2 Specific operating regulations

Each State shall establish specific operating regulations in accordance with Annex 19 to require, at a minimum, that:

a) a person does not offer or cause to be offered for transport:

1) articles or substances which are forbidden for transport in accordance with 2.4.3;

2) articles or substances which are forbidden for transport in accordance with 2.4.2 unless permitted by the States concerned through an approval or exemption;

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	4.1.2 a) and b) replaces part of current 7.1.

b) a person does not offer or cause to be offered dangerous goods for transport unless:

1) policies and procedures have been developed and provided to enable them to carry out the function for which they are responsible;

2) associated hazards are identified in accordance with the classification criteria of Part 2 of the Technical Instructions;

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	4.1.2 b) 2) replaces current Chapter 3

3) risks associated with the identified hazards are mitigated at the package level through quantity limitations, packing and packaging requirements in accordance with Parts 3, 4 and 6 of the Technical Instructions;

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	4.1.2 b)3 Replaces part of current 7.1 (Shippers' responsibilities — general requirements) and Chapter 5 (Packing).

4) hazard and handling information are communicated to entities in the supply chain in accordance with the marking, labelling and documentation requirements of Parts 3, 4 and 5 of the Technical Instructions;

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	4.1.2 b) 4) replaces Chapter 6 (Labelling and Marking) and 7.2 (Dangerous goods transport document).

5) documentation is retained in accordance with the Technical Instructions;

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	The need for documentation to be retained is required by the detailed provisions of the Technical Instructions. The documentation is evidence of compliance and provides important information for safety investigations.

6) in the case of radioactive material, a radiation protection programme is established in accordance with Part 1;6 of the Technical Instructions;

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	The Technical Instructions contain provisions for a radiation protection programme by entities involved with the transport of radioactive material. There was never any reference to this in Annex.

c) operators accept, handle and transport dangerous goods in accordance with Chapter 6;

d) dangerous goods accidents, dangerous goods incidents and occasions when undeclared or misdeclared dangerous goods are discovered are reported in accordance with Chapter 10;

e) training and assessment is conducted in accordance with Chapter 9;

f) dangerous goods are not offered, caused to be offered or accepted for transport by mail unless specifically permitted in accordance with Chapter 8; and

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	5.2.1 c), d), e) and f) establish the need for the State to adopt regulations aimed at the operator, reporting, training and assessment and the mail. They refer to the associated SARPs in the Annex.

g) entities other than operators involved in the transport of dangerous goods by air provide such information to their personnel as will enable them to carry out their responsibilities with regard to the transport of dangerous goods and instructions as to the action to be taken in the event of emergency involving dangerous goods.

Note.— Annex 6 contains requirements for the operator to be provided with an operations manual for the use and guidance of operations personnel concerned.

<i>Origin:</i>	<i>Rationale:</i>
	5.2.1 g) is moved from 9.4. The text in 9.4 is modified to make it applicable to entities other than the operator, given that the operator is required to provide the information and instructions in the Operators Manual in accordance with Annex 6 and is now proposed to be covered to be SARPs in Chapter 6. This is reflected through the note under g).

CHAPTER 6. LABELLING AND MARKING**6.1—Labels**

Unless otherwise provided for in the Technical Instructions, each package of dangerous goods shall be labelled with the appropriate labels and in accordance with the provisions set forth in those Instructions.

6.2—Markings

— 6.2.1 — Unless otherwise provided for in the Technical Instructions, each package of dangerous goods shall be marked with the proper shipping name of its contents and, when assigned, the UN number and such other markings as may be specified in those Instructions.

— 6.2.2 — *Specification markings on packagings.* Unless otherwise provided for in the Technical Instructions, each packaging manufactured to a specification contained in those Instructions shall be so marked in accordance with the appropriate provisions of those Instructions and no packaging shall be marked with a packaging specification marking unless it meets the appropriate packaging specification contained in those Instructions.

6.3—Languages to be used for markings

— **Recommendation.** — *In addition to the languages required by the State of Origin and pending the development and adoption of a more suitable form of expression for universal use, English should be used for the markings related to dangerous goods.*

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	The provisions in this chapter are details contained in the Technical Instructions. The SARPs are therefore redundant. Labelling and marking requirements are now covered more generally by the SARP proposed in new Chapter 5, 5.2.1 b) 4).

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	<p>This rationale applies to all of newly-numbered Chapter 6 (Operator’s responsibilities):</p> <ul style="list-style-type: none">— A change in the structure of the chapter is proposed to differentiate between operators with and without specific approvals to transport dangerous goods as cargo in alignment with the structure of the dangerous goods chapters in Annex 6 (Chapters 14 in Parts I and IV and Chapter 12 in Part II). This makes the responsibilities applicable to each type of operator clear and establishes a stronger connection with Annex 6.— The SARPs for the operator responsibilities have been expanded to ensure all the detailed provisions in the Technical Instructions are connected to a high-level Standard in the Annex so as to provide more visibility to States enabling them to better assess an operator’s ability to perform dangerous goods functions through the AOC process and during surveillance activities.— Editorial amendments to existing SARPs are made to make the subject of the SARP clear and to align with language used in Annex 6 (i.e. “The operator shall ...”).

Moved from Chapter 8:

CHAPTER-8 6. OPERATOR’S RESPONSIBILITIES

Note 1.— Annex 6, Parts I, III and IV prohibit an operator from engaging in commercial air transport operations unless it is in possession of a valid air operator certificate (AOC) issued by the State of the Operator. The AOC authorizes the operator to conduct commercial air transport operations in accordance with its operations specifications. The operations specifications include an indication of whether an operator has specific approval to transport dangerous goods as cargo. This Annex applies to all operators, regardless of their specific approval status. Operators that have a specific approval to transport dangerous goods as cargo are subject to additional operational responsibilities that do not apply to operators without specific approval. This chapter distinguishes responsibilities for operators without specific approval from those with specific approval to transport dangerous goods as cargo by separating them into two sections (6.1 and 6.2).

Note 2.— Annex 6, Part I, Chapter 14, Annex 6, Part III, Chapter 12 and Annex 6, Part IV, Chapter 14 includes provisions for air operators to include dangerous goods procedures, instructions and guidance in its operations manual.

Note ~~1~~³.— Annex 19 includes safety management provisions for air operators. Further guidance is contained in the Safety Management Manual (SMM) (Doc 9859).

Note ~~2~~⁴.— The carriage of dangerous goods is included in the scope of the operator’s safety management system (SMS).

Note 4 is moved from under 2.1.4:

Note 5.— It is not intended that this Annex be interpreted as requiring an operator to transport a particular article or substance or as preventing an operator from adopting special requirements on the transport of a particular article or substance.

Note 6.— The operator may contract functions required by this Annex to another party while retaining overall responsibility for them.

Note 6.— Each State is required to recognize as valid an air operator certificate issued by another State in accordance with Annex 6, Part I, 4.2.2, Part III — International Operations — Helicopters, of 2.2.2 and Part IV, 4.2.3. This includes the specific approval to transport dangerous goods as cargo issued by another State.

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	<p>Note 1 establishes a link to Annex 6 and makes it clear that all operators have dangerous goods responsibilities, commensurate with the scope of operations.</p> <p>Note 4 is moved from Chapter 2: Applicability. The note is currently under the provisions for approvals and exemptions, but its application goes beyond these. Moving the note to this chapter makes the provisions for operators more comprehensive.</p> <p>Note 5 is based on a note in the Introductory notes to Part 7 of the Technical Instructions. It is proposed for inclusion in the Annex to ensure States are aware. The wording has been modified from what is in the Technical Instructions to make it clear that the operator retains overall responsibility. A consequential amendment to the Technical Instructions will be necessary.</p> <p>Note 6 is a modified version of current Note 2 under 10.2.3. It is modified to clarify its intent, which is to address issues with States subjecting training programmes of foreign operators to their approval. This is considered onerous and can create conflicts if conditions of the approval differ from the approval by the State of the Operator. It is proposed for inclusion in this chapter because it applies to more than training.</p>

6.1 General

6.1.1 The provisions of 6.2 are only applicable to operators with no specific approval for the transport of dangerous goods as cargo.

6.1.2 The provisions of 6.3 are only applicable to operators with a specific approval for the transport of dangerous goods as cargo.

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	<p>6.1.1 and 6.1.2 set out the applicability of the two remaining sections in this chapter, one for operators without specific approval to transport dangerous goods as cargo and one with specific approval. The two sections correspond with the two sections in Annex 6, Chapter 14. DGP proposes to maintain the dangerous goods provisions in Annex 18 and to replace what is in Annex 6 with references to the sections in this Annex. Keeping the dangerous goods SARPs in Annex 18 allows for a comprehensive set of dangerous goods provisions and facilitates maintenance of them. DGP proposes repeating provisions that apply to both types of operators in 6.2 and 6.3 as is done in Annex 6. This eliminates any ambiguity as to what each operator is responsible for, which is sometimes the case for operators without specific approval.</p>

6.2 Operators with no specific approval for the transport of dangerous goods as cargo

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	6.2 is a proposed new section specific to operators with no specific approval for the transport of dangerous goods as cargo. It is added with the aim of making dangerous goods responsibilities for these operators clear (see rationale under 6.1.3).

6.2.1 General

The operator shall not transport dangerous goods as cargo.

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	Despite efforts to prevent operators without specific approval to transport dangerous goods as cargo from transporting them, dangerous goods are still discovered in cargo of operators, often COMAT, without approval. This Standard makes it clear up front that operators without a specific approval cannot transport dangerous goods as cargo.

6.2.2 Acceptance and loading of dangerous goods carried by passengers and crew requiring approval

The operator shall implement documented processes and procedures for accepting and transporting dangerous goods, only permitted for carriage by passengers and crew if approved by the operator, in accordance with Parts 7 and 8 of the Technical Instructions.

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	6.2.2 is a proposed new SARP for both types of operators (see also 6.3.2). Some dangerous goods are only permitted for carriage by passengers and crew with the approval of the operator as specified in Table 8-1 of the Technical Instructions (e.g. battery-powered mobility aids, oxygen cylinders required for medical use, dry ice). There are specific handling and loading requirements for the operator for some of them. Including this general SARP in the Annex is proposed to make it clear to States that the operator needs to demonstrate it can carry these goods safely.

6.2.3 Damage or leakage

The operator or an appropriate authority or organization shall remove cargo, mail or baggage suspected of containing dangerous goods from the aircraft or unit load device if it appears to be damaged or leaking in accordance with Part 7.3 of the Technical Instructions.

<i>Origin:</i> DGP/29	<i>Rationale:</i> This requirement is contained in current 8.4.3, but 8.4.3 applies only to packages of dangerous goods appearing to be damaged or leaking. It does not address leakage of dangerous goods from baggage or mail and implies that the operator would know that a package contained dangerous goods. The operator would only know if a package contained dangerous goods if it was declared as such. The SARP in 8.4.3 is therefore proposed to be amended to ensure it addresses contamination from declared and undeclared dangerous goods, dangerous goods in mail, and dangerous goods carried by passengers and crew.
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6.2.4 Prevention of non-compliance

6.2.4.1 The operator shall ensure that measures are in place to mitigate against the risk of:

- a) dangerous goods being transported as cargo on an aircraft;
- b) dangerous goods being transported which are intended as replacement for or removed for replacement of those required to be aboard an aircraft in accordance with pertinent airworthiness requirements and operator regulations;
- c) dangerous goods being transported in air mail which are not in compliance with the Technical Instructions; and
- d) passengers and crew carrying dangerous goods on board an aircraft which they are not permitted to carry.

6.2.4.2 The mitigations required by 6.2.4.1 shall include, at a minimum:

- a) measures aimed at ensuring cargo customers are aware of the limitations on the transport of dangerous goods as cargo by air;
- b) measures aimed at ensuring passengers and crew are aware of the limitations on the carriage of dangerous goods by air; and
- c) measures aimed at assisting operators' acceptance staff in identifying, detecting and rejecting dangerous goods presented as general cargo.

Note 1.— See 2.4 for limitations on the transport of dangerous goods by air.

Note 2.— See Part 7;4.8 of the Technical Instructions for provision of information at cargo acceptance points and Part 7;5 of the Technical Instructions for provision of information to passengers and for passenger check-in procedures.

Note 3.— See Part 7;1.1 of the Technical Instructions for cargo acceptance procedures related to detecting dangerous goods presented as general cargo.

Note 4.— See Part 7;6 of the Technical Instructions for provisions to aid recognition of dangerous goods in general cargo, baggage or mail.

<i>Origin:</i>	Rationale:
DGP/29	<p>6.2.4 is a proposed new SARP aimed at mitigating against the risk of:</p> <ul style="list-style-type: none"> a) an operator without specific approval to transport dangerous goods as cargo transporting dangerous goods as cargo on an aircraft when they do not have State approval to do so (either knowingly, when dangerous goods are declared as such, or unknowingly when they are not); b) dangerous goods in baggage or mail being transported on an aircraft that are not in compliance with the Technical Instructions. <p>The inadvertent transport of undeclared dangerous goods offered as general cargo, dangerous goods in air mail that are not permitted, and dangerous goods carried by passengers and crew that are not permitted pose a risk to aircraft. The Technical Instructions currently contain several prescriptive requirements for information concerning dangerous goods to be provided to various entities that may introduce this risk as one way to mitigate it. These are referred to in the Notes proposed for inclusion under 6.2.6.2. The proposed new SARP is intended to make the need to mitigate the risk clear while not limiting measures to what is provided in Technical Instructions. It aims to ensure operators implement effective measures for their specific operating environment while incorporating the existing measures in the Technical Instructions in a manner that focuses on what needs to be achieved.</p>

6.2.5 Emergency procedures

The operator shall provide instructions to crew members and other personnel involved in the transport of cargo, baggage or mail as to the action to be taken in the event of an emergency involving dangerous goods.

<i>Origin:</i>	Rationale:
DGP/29	<p>6.2.7 is based on current 9.2 and 9.4. It applies to both types of operators, i.e. those with and those without specific approval for dangerous goods transport (see 6.10.1). Current 9.2 applies to flight crew and 9.4 applies to operators, shippers and other organizations involved in the transport of dangerous goods. It is proposed to separate the requirement for shippers and other organizations from the operator given the specific requirement for the operator to include the information in the Operations Manual. Other entities are proposed for inclusion in new Chapter 5 on the safety of the supply chain (see 5.2 g).</p>

6.2.6 Reporting of dangerous goods occurrences to State authorities

Note.— See Chapter 10 for requirements for the operator to report dangerous goods occurrences to State authorities.

<i>Origin:</i>	Rationale:
DGP-WG/Annex 18	<p>It is proposed to add a note to the reporting requirements in Chapter 10 to ensure comprehensive provisions for the operator within this chapter</p>

6.3 Operators with a specific approval for the transport of dangerous goods as cargo**6.3.1 General**

The operator shall take measures to ensure that all personnel, including third-party personnel, involved in the acceptance, handling, loading and unloading of cargo are operating within the limits established by its specific approval to transport dangerous goods as cargo.

<i>Origin:</i>	<i>Rationale:</i>
DGP-WG/Annex 18	6.3.1 is aimed at replacing the details in Annex 6, 14.3 (see rationale under 6.1.3 and proposed consequential amendment to Annex 6 in Appendix B to this working paper). A similar SARP is added to 6.2.1. 6.3.1.1 and 6.3.1.2 are proposed to replace the details in Annex 6, Part I, 14.3 and 14.4 and the corresponding SARPs in Parts III and IV (see rationale under 6.1.3 and proposed consequential amendment to Annex 6 in Appendix B to this working paper). Similar SARPs are added to 6.2.1.1 and 6.2.1.2 to replace 14.2 and 14.4 of Annex 6, Part I and the corresponding SARPs in Parts III and IV.

6.3.2 Acceptance and loading of dangerous goods carried by passengers and crew requiring approval

The operator shall implement documented processes and procedures for accepting and transporting dangerous goods only permitted for carriage by passengers and crew if approved by the operator, in accordance with Parts 7 and 8 of the Technical Instructions.

<i>Origin:</i>	<i>Rationale:</i>
DGP-WG/Annex 18	6.3.2 is a proposed new SARP for both types of operators (see also 6.2.2). Some dangerous goods are only permitted for carriage by passengers and crew with the approval of the operator as specified in Table 8-1 of the Technical Instructions (e.g. battery-powered mobility aids, oxygen cylinders required for medical use, dry ice). There are specific handling and loading requirements for the operator for some of them. Including this general SARP in the Annex is proposed to make it clear to States that the operator needs to demonstrate it can carry these goods safely.

8-1 6.3.3 Acceptance of dangerous goods for transport as cargo

6.3.3.1 ~~An~~The operator shall not accept dangerous goods for transport as cargo by air:

- a) unless information is provided in accordance with Part 7;1.2 of the Technical Instructions describing the dangerous goods ~~are accompanied by a completed dangerous goods transport document in the consignment~~, except where the Technical Instructions indicate that such a ~~document~~ information is not required; and
- b) until the package, overpack or freight container containing the dangerous goods has been inspected in accordance with the acceptance procedures contained in Part 7;1 of the Technical Instructions.

~~Note 1. See Chapter 12 concerning the reporting of dangerous goods accidents and incidents.~~

~~————— Note 2. —Special provisions relating to the acceptance of overpacks are contained in the Technical Instructions.~~

~~8.2 Acceptance checklist~~

~~6.3.3.2 An The operator shall develop and use an acceptance checklist as an aid to compliance with the provisions of 8.1 6.3.3.1 in accordance with Part 7;1.3 of the Technical Instructions.~~

~~6.3.3.3 The operator shall not accept a freight container or unit load device containing dangerous goods from a shipper except as permitted by 7;1 of the Technical Instructions.~~

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	<p>“As cargo” is added to reflect the fact that these acceptance procedures apply only to dangerous goods offered for transport as cargo.</p> <p>Sub-paragraph a) is modified to accommodate dangerous goods information provided electronically, which the Technical Instructions allow.</p> <p>Note 1 is deleted to remove the implication that the reporting of dangerous goods accidents and incidents is only applicable during acceptance.</p> <p>Note 2 is deleted as it is considered unnecessary. “Overpack” is referenced in 6.3.3.1, making it clear that there are provisions for them in the Technical Instructions.</p> <p>A separate section for the acceptance checklist is considered unnecessary since it is directly related to the provisions in the previous section. It is therefore proposed to delete the heading in 8.2.</p>

6.3.4 Handling

6.3.3.1 The operator shall handle cargo containing dangerous goods in a manner that prevents damage, leakage or dangerous reaction in accordance with the provisions of the Technical Instructions.

6.3.3.2 The operator shall ensure that marks and labels required by the Instructions are visible throughout the course of air transport in accordance with Part 7;2 of the Technical Instructions.

6.3.3.3 The operator shall ensure that dangerous goods contained in unit load devices are identified on the exterior of the unit load devices in accordance with Part 7;2 of the Technical Instructions.

<i>Origin:</i>	<i>Rationale:</i>
DGP-WG/Annex 18	<p>How dangerous goods are handled contributes to their safe transport. The Technical Instructions contain provisions related to handling, yet there is no mention of this function in Annex 18. SARPs related to handling are proposed to address this gap in Annex 18.</p>

~~8.3~~6.3.5 Loading, unloading and stowage

~~Packages and overpacks containing dangerous goods and freight containers containing radioactive materials shall be loaded and stowed on an aircraft in accordance with the provisions of the Technical Instructions.~~

8.46.3.5.1 *Inspection for ~~d~~Damage or leakage*8.4.16.3.5.1.1 The operator shall not load dangerous goods as cargo onto an aircraft unless:

~~a) Packages and overpacks containing dangerous goods and freight containers containing radioactive materials shall be dangerous goods have been inspected for immediately prior to placing them in a unit load device or loading them on an aircraft and found free from any evidence of leakage or damage before loading on an aircraft or into a unit load device. Leaking or damaged packages, overpacks or freight containers shall not be loaded on an aircraft. and~~

~~8.4.2 b) A unit load devices shall not be loaded aboard an aircraft unless the device has have been inspected and found free from any evidence of leakage from, or damage to, any dangerous goods contained therein.~~

Proposed to reverse the following two paragraphs:

~~8.4.46.3.5.1.2 The operator shall inspect Ppackages or overpacks containing dangerous goods and freight containers containing radioactive materials shall be inspected dangerous goods for signs evidence of damage or leakage upon unloading from the aircraft or unit load device. If evidence of damage or leakage is found, the area where the dangerous goods or unit load device were stowed on the aircraft shall be inspected for damage or contamination.~~

~~8.4.36.3.5.1.3 Where any package of dangerous goods loaded on an aircraft appears to be damaged or leaking, the operator shall remove such package from the aircraft, or arrange for its removal by an appropriate authority or organization, and thereafter shall ensure that the remainder of the consignment is in a proper condition for transport by air and that no other package has been contaminated. The operator or an appropriate authority or organization shall remove cargo, mail or baggage containing or suspected of containing dangerous goods from the aircraft or unit load device if there is evidence of damage or leakage in accordance with Parts 7;2 and 7;3 of the Technical Instructions.~~

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	<p>“Inspection” is removed from the heading since the discovery of damage or leakage is not limited to inspections.</p> <p>The structure of the section is modified and reordered more logically to more clearly delineate inspections for damage or leakage during loading from inspections during unloading and the action that needs to be taken whenever damage or leakage is discovered.</p> <p>Text is struck_out from existing 8.4.4 because the proposed text refers to more detailed provisions in the Technical Instructions making this redundant.</p> <p>Existing 8.4.3 applies only to packages of dangerous goods appearing to be damaged or leaking. It does not address leakage of dangerous goods from baggage or mail and implies that the operator would know that a package contained dangerous goods. The operator would only know if a package contained dangerous goods if it was declared as such. The SARP in 8.4.3 is therefore proposed to be amended to ensure it addresses contamination from declared and undeclared dangerous goods, dangerous goods in mail, and dangerous goods carried by passengers and crew.</p> <p>Editorial amendments are made for the sake of consistent language.</p> <p>A distinction between packages and overpacks containing dangerous goods and freight containers containing radioactive material was removed by simply stating “packages, overpacks and freight containers containing dangerous goods” since radioactive material is dangerous goods. The fact that freight containers can only contain radioactive material when shipping dangerous goods is not relevant to this section.</p>

Proposed to reverse the following two paragraphs for a more logical flow (i.e. removal of contamination should follow damage and leakage):

8.6.3.5.2 *Removal of contamination*

~~8.6.1~~ ~~The operator shall ensure that:~~

~~a)~~ ~~Any hazardous contamination found on an aircraft as a result of leakage or damage to~~
~~from~~ dangerous goods ~~shall be~~ is removed without delay in accordance with the Technical
Instructions.

~~8.6.2~~ ~~b)~~ ~~An aircraft which has been contaminated by radioactive materials shall~~ is
immediately ~~be~~ taken out of service and not returned to service until the radiation level at any
accessible surface and the non-fixed contamination are not more than the values specified in the
Technical Instructions.

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	Editorial amendments to remove superfluous wording and improve clarity.

8.5 6.3.5.3 *Loading restrictions in passenger cabin or on flight deck*

The operator shall ensure that ~~D~~ dangerous goods ~~shall~~ are not be carried in an aircraft cabin occupied by passengers or on the flight deck of an aircraft, except in circumstances permitted by the provisions of the Technical Instructions.

8.7 6.3.5 — ~~4E~~ *Separation and segregation*

~~8.7.1~~ 6.3.5.4.1 The operator shall ensure that ~~P~~ packages containing dangerous goods which might react dangerously with ~~one with another shall~~ are not be stowed on an aircraft next to each other or in a position that would allow interaction between them in the event of leakage segregated or separated from each other, as applicable, in accordance with Part 7;2.2 of the Technical Instructions.

~~8.7.2~~ Packages of toxic and infectious substances shall be stowed on an aircraft in accordance with the provisions of the Technical Instructions.

~~8.7.3~~ 6.3.5.4.2 The operator shall ensure that ~~P~~ packages of radioactive materials ~~shall be~~ are stowed on an aircraft so that they are separated from persons, live animals and undeveloped film, in accordance with ~~the provisions in~~ Part 7;2.9.6 of the Technical Instructions.

<i>Origin:</i>	<i>Rationale:</i>
DGP-WG/Annex 18 and DGP/26 AN Min. 209-2	<p>There are details in the Technical Instructions specific to types of dangerous goods that must be separated or segregated from each other based on the hazards they pose than what is stated in current 8.7.1. It is proposed to make the Standard more general and to refer to the detailed provisions in the Technical Instructions while maintaining the intent of the Standard.</p> <p>The Standard in 8.7.2 is no longer necessary as it refers to detailed segregation requirements in the Technical Instructions which no longer exist. Segregation requirements for toxic and infectious substances were removed from the 2015-2016 Edition of the Technical Instructions (see paragraph 2.7.1.1 of the DGP/24 Report). The ANC conducted a final review of the amendment following State consultation. It was pointed out, and recognized by the Commission, that the amendment proposal was administrative in nature and, as such, should be consolidated with other Annex 18 amendment proposals which could imply a later applicability date than the currently indicated 7 November 2019. (AN Min 209-2).</p> <p>Editorial amendments to 8.7.3 are proposed.</p>

8.8 6.3.5.5 *Securing of dangerous goods cargo loads*

~~6.3.5.5.1~~ When dangerous goods subject to the provisions contained herein are loaded in an aircraft, ~~the operator shall protect the dangerous goods~~ on the aircraft or in a unit load device from being damaged, and shall secure such goods in the aircraft in such a manner that will prevent any movement in flight which would change the orientation of the packages.

~~6.3.5.5.2~~ For packages containing radioactive materials, the securing shall be adequate to ensure that the separation requirements of ~~8.7.3~~ 6.3.4.4.2 are met at all times.

<i>Origin:</i>	<i>Rationale:</i>
DGP-WG/Annex 18	Amendments to 8.8 are proposed to expand the requirement for dangerous goods to be secured on the aircraft to dangerous goods in until load devices, since the risk of damage if not secured applies to both, and to remove the limit of the requirement to movement in flight which could change the orientation of the package, since any movement could result in damage.

~~8.9~~ 6.3.5.6 Loading on cargo aircraft

Packages of dangerous goods bearing the “Cargo aircraft only” label shall be loaded for transport on a cargo aircraft in accordance with ~~the provisions~~ 7.2.4.1 ~~in of~~ the Technical Instructions.

<i>Origin:</i>	<i>Rationale:</i>
DGP-WG/Annex 18	Packages bearing the “cargo aircraft only” label are not permitted on passenger aircraft, but there is nothing in Annex 18 to require this. The amendment to 8.9 addresses this gap.

6.3.6 Operator responsibilities for specific types of dangerous goods

6.3.6.1 The operator shall comply with the specific requirements for the handling, stowage and transport of infectious substances and radioactive material contained in the Technical Instructions.

6.3.6.2 The operator shall comply with handling and loading requirements for the specific types of dangerous goods contained in the Technical Instructions.

Note.—See 1;

<i>Origin:</i>	<i>Rationale:</i>
DGP-WG/Annex 18	There are specific requirements for handling, stowing and transporting infectious substances and radioactive material and for handling and loading some specific types of dangerous goods contained in the Technical Instructions, but no mention of this is currently made in Annex 18. The amendment addresses this gap.

~~9.1~~ 6.3.7 Information to pilot-in-command or remote-pilot-in-command

The operator of shall ensure that when an aircraft in which is to transport dangerous goods ~~are to be carried~~ shall provide as cargo, the pilot-in-command or remote-pilot-in-command, as applicable, is provided as

early as practicable before departure of the aircraft with ~~written~~ information as specified in accordance with Part 7.4 of the Technical Instructions.

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	The Standard in 9.1 is modified to clarify that the information provided applies to dangerous goods transported as cargo and to include the remote-pilot-in-command.

Moved from 9.2:

~~9.2.6.3.8~~ Information and instructions to flight crew members Emergency procedures

~~9.2.6.3.8.1~~ The operator shall provide ~~such information in the Operations Manual as will enable the flight crew to carry out its responsibilities with regard to the transport of dangerous goods and shall provide instructions~~ to crew members as to the action to be taken in the event of an emergency arising involving dangerous goods.

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	The Standard in 9.2 is modified by removing the requirement for the information to be provided in the Operations Manual given that all operator dangerous goods responsibilities must be provided in the Operations Manual but this is not specified anywhere else.

Moved from 9.5:

~~9.5~~ Information from pilot in command to aerodrome authorities

~~6.3.8.2~~ If an in-flight emergency occurs, the ~~pilot-in-command or remote-pilot-in-command~~ shall, as soon as the situation permits, inform the appropriate air traffic services unit, for the information of aerodrome authorities, of any dangerous goods on board the aircraft, as provided for in the Technical Instructions.

Replace 9.6 with the following:

6.3.8.3 The operator shall ensure that in the event of an aircraft accident, a serious incident or incident, where emergency services are responding, the information about the dangerous goods on board that was provided to the pilot-in-command or remote-pilot-in-command is provided, without delay, to emergency services responding to the accident, serious incident or incident.

6.3.8.4 The operator shall ensure that in the event of an aircraft incident, if requested to do so, the information about the dangerous goods on board that was provided to the pilot-in-command or remote-pilot-in-command is provided without delay to aerodrome authorities.

6.3.8.5 The operator shall ensure that in the event of:

- a) an aircraft accident; or
- b) a serious incident where dangerous goods carried as cargo may be involved.

the information about the dangerous goods on board that was provided to the pilot-in-command or remote pilot-in-command is provided, as soon as possible, to the appropriate authorities of the State of the Operator and the State in which the occurrence took place.

6.3.8.6 The operator shall ensure that in the event of an aircraft incident, if requested to do so, the information about the dangerous goods on board that was provided to the pilot-in-command or the remote-pilot-in-command is provided, without delay, to the appropriate authority of the State in which the occurrence took place.

Note.— The terms “accident”, “serious incident” and “incident” are as defined in Annex 13.

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	The provisions in 9.6 have been revised to clarify who the intended recipients of the dangerous goods information are and to facilitate the operator’s ability to determine who to provide the information to and when to provide.

6.3.9 Prevention of non-compliance

6.3.9.1 The operator shall ensure that measures are in place to mitigate against the risk of:

- a) dangerous goods being transported as cargo on an aircraft that are not in compliance with the Technical Instructions and the limitations with regard to the transport of dangerous goods established in the Operations Manual;
- b) dangerous goods being transported which are intended as replacement for or removed for replacement of those required to be aboard an aircraft in accordance with pertinent airworthiness requirements and operator regulations that are not in compliance with the Technical Instructions;
- c) dangerous goods being transported in air mail which are not in compliance with the Technical Instructions; and
- d) passengers and crew carrying dangerous goods on board an aircraft which they are not permitted to carry.

6.3.9.2 The mitigations required by 6.2.6.1 shall include, at a minimum:

- a) measures aimed at ensuring cargo customers are aware of the limitations on the transport of dangerous goods as cargo by air;
- b) measures aimed at ensuring passengers and crew are aware of the limitations on the carriage of dangerous goods by air; and
- c) measures aimed at assisting operators’ acceptance staff in identifying, detecting and rejecting dangerous goods presented as general cargo.

Note 1.— See 2.4 for limitations on the transport of dangerous goods by air.

Note 2.— See Part 7;4.8 of the Technical Instructions for provision of information at cargo acceptance points and Part 7;5 of the Technical Instructions for provision of information to passengers and for passenger check-in procedures.

Note 3.— See Part 7;1.1 of the Technical Instructions for cargo acceptance procedures related to detecting dangerous goods presented as general cargo.

Note 4.— See Part 7.6 of the Technical Instructions for provisions to aid recognition of dangerous goods in general cargo, baggage or mail.

<i>Origin:</i> DGP/29	<p>Rationale:</p> <p>6.3.9 is a proposed new SARP aimed at mitigating against the risk of non-compliance dangerous goods being transported by air.</p> <p>The inadvertent transport of undeclared dangerous goods offered as general cargo, dangerous goods in air mail that are not permitted, and dangerous goods carried by passengers and crew that are not permitted pose a risk to aircraft. The Technical Instructions currently contain several prescriptive requirements for information concerning dangerous goods to be provided to various entities that may introduce this risk as one way to mitigate it. These are referred to in the Notes proposed for inclusion under 6.3.9.2. The proposed new SARP is intended to make the need to mitigate the risk clear while not limiting measures to what is provided in Technical Instructions. It aims to ensure operators implement effective measures for their specific operating environment while incorporating the existing measures in the Technical Instructions in a manner that focuses on what needs to be achieved.</p>
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6.3.10 Reporting of dangerous goods occurrences to State authorities

Note.— See Chapter 10 for requirements for the operator to report dangerous goods occurrences to State authorities.

<i>Origin:</i> DGP- WG/Annex 18	<p>Rationale:</p> <p>It is proposed to add a note to the reporting requirements in Chapter 10 to ensure comprehensive provisions for the operator within this chapter</p>
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CHAPTER 7. — SHIPPER'S RESPONSIBILITIES

7.1 — General requirements

~~Before a person offers any package or overpack of dangerous goods for transport by air, that person shall ensure that the dangerous goods are not forbidden for transport by air and are properly classified, packed, marked, labelled and accompanied by a properly executed dangerous goods transport document, as specified in this Annex and the Technical Instructions.~~

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	This SARP is covered by proposed new 5.2.1 a), 5.2.1 b) 2), 5.2.1 b) 3), 5.2.1 b) 4) and 5.2.1 b) 5)

7.2 — Dangerous goods transport document

~~7.2.1 Unless otherwise provided for in the Technical Instructions, the person who offers dangerous goods for transport by air shall complete, sign and provide to the operator a dangerous goods transport document, which shall contain the information required by those Instructions.~~

~~7.2.2 The transport document shall bear a declaration signed by the person who offers dangerous goods for transport indicating that the dangerous goods are fully and accurately described by their proper shipping names and that they are classified, packed, marked, labelled, and in proper condition for transport by air in accordance with the relevant regulations.~~

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	The provisions in 7.2 are details contained in the Technical Instructions. The SARPs are therefore redundant. The dangerous goods transport document is covered by proposed new 5.2.1 b) 4)

7.3 — Languages to be used

~~**Recommendation.** *In addition to the languages which may be required by the State of Origin and pending the development and adoption of a more suitable form of expression for universal use, English should be used for the dangerous goods transport document.*~~

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	This recommendation is contained in by Part 5, Chapter 4, 4.1.6.3 of the Technical Instructions. It is therefore redundant.

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	A new chapter on airport operator's responsibilities is proposed to capture a requirement currently in the Technical Instructions

CHAPTER 7. AIRPORT OPERATOR'S RESPONSIBILITIES

Moved from 9.3:

9.3.7.1 Provision of Information to passengers

Each Contracting State shall ensure that information is the specific operating regulations required by Annex 19 require that airport operators promulgated information in such a manner that passengers are warned ~~as to~~ of the types of dangerous goods which they are forbidden from ~~transporting~~ carrying aboard an aircraft as provided for in ~~the~~ Part 7 of the Technical Instructions.

Note.— Requirements for the operator to provide information to passengers are contained in Chapter 6.

Moved to Chapter 6:

CHAPTER 8.—OPERATOR’S RESPONSIBILITIES

~~— Note 1. Annex 19 includes safety management provisions for air operators. Further guidance is contained in the Safety Management Manual (SMM) (Doc 9859).~~

~~— Note 2. The carriage of dangerous goods is included in the scope of the operator’s safety management system (SMS).~~

8.1—Acceptance for transport

An operator shall not accept dangerous goods for transport by air:

- ~~— a) unless the dangerous goods are accompanied by a completed dangerous goods transport document, except where the Technical Instructions indicate that such a document is not required; and~~
- ~~— b) until the package, overpack or freight container containing the dangerous goods has been inspected in accordance with the acceptance procedures contained in the Technical Instructions.~~

~~— Note 1. See Chapter 12 concerning the reporting of dangerous goods accidents and incidents.~~

~~— Note 2. Special provisions relating to the acceptance of overpacks are contained in the Technical Instructions.~~

8.2—Acceptance checklist

An operator shall develop and use an acceptance checklist as an aid to compliance with the provisions of 8.1.

8.3—Loading and stowage

~~Packages and overpacks containing dangerous goods and freight containers containing radioactive materials shall be loaded and stowed on an aircraft in accordance with the provisions of the Technical Instructions.~~

8.4—Inspection for damage or leakage

~~— 8.4.1 Packages and overpacks containing dangerous goods and freight containers containing radioactive materials shall be inspected for evidence of leakage or damage before loading on an aircraft or into a unit load device. Leaking or damaged packages, overpacks or freight containers shall not be loaded on an aircraft.~~

~~— 8.4.2 A unit load device shall not be loaded aboard an aircraft unless the device has been inspected and found free from any evidence of leakage from, or damage to, any dangerous goods contained therein.~~

~~— 8.4.3 Where any package of dangerous goods loaded on an aircraft appears to be damaged or leaking, the operator shall remove such package from the aircraft, or arrange for its removal by an appropriate authority or organization, and thereafter shall ensure that the remainder of the consignment is in a proper condition for transport by air and that no other package has been contaminated.~~

~~— 8.4.4 Packages or overpacks containing dangerous goods and freight containers containing radioactive materials shall be inspected for signs of damage or leakage upon unloading from the aircraft or unit load device. If evidence of damage or leakage is found, the area where the dangerous goods or unit load device were stowed on the aircraft shall be inspected for damage or contamination.~~

8.5—Loading restrictions in passenger cabin or on flight deck

~~Dangerous goods shall not be carried in an aircraft cabin occupied by passengers or on the flight deck of an aircraft, except in circumstances permitted by the provisions of the Technical Instructions.~~

8.6—Removal of contamination

~~—8.6.1—Any hazardous contamination found on an aircraft as a result of leakage or damage to dangerous goods shall be removed without delay.~~

~~—8.6.2—An aircraft which has been contaminated by radioactive materials shall immediately be taken out of service and not returned to service until the radiation level at any accessible surface and the non-fixed contamination are not more than the values specified in the Technical Instructions.~~

8.7—Separation and segregation

~~—8.7.1—Packages containing dangerous goods which might react dangerously one with another shall not be stowed on an aircraft next to each other or in a position that would allow interaction between them in the event of leakage.~~

~~—8.7.2—Packages of toxic and infectious substances shall be stowed on an aircraft in accordance with the provisions of the Technical Instructions.~~

~~—8.7.3—Packages of radioactive materials shall be stowed on an aircraft so that they are separated from persons, live animals and undeveloped film, in accordance with the provisions in the Technical Instructions.~~

8.8—Securing of dangerous goods cargo loads

~~When dangerous goods subject to the provisions contained herein are loaded in an aircraft, the operator shall protect the dangerous goods from being damaged, and shall secure such goods in the aircraft in such a manner that will prevent any movement in flight which would change the orientation of the packages. For packages containing radioactive materials, the securing shall be adequate to ensure that the separation requirements of 8.7.3 are met at all times.~~

8.9—Loading on cargo aircraft

~~Packages of dangerous goods bearing the “Cargo aircraft only” label shall be loaded in accordance with the provisions in the Technical Instructions.~~

CHAPTER 8. TRANSPORT OF DANGEROUS GOODS BY POST

Moved from under 11.4, Note 1.

Note 1.— In accordance with the Universal Postal Union (UPU) Convention, dangerous goods are not permitted in mail, except as provided for in the Technical Instructions.

8.1 Designated postal operator's responsibilities

8.1.1 A designated postal operator accepting mail into air transport shall:

- a) establish and maintain a dangerous goods training programme in accordance with Chapter 9;**
- b) implement procedures for preventing the introduction of dangerous goods in mail when not in compliance with the provisions of this Annex and the Technical Instructions; and**
- c) implement procedures in accordance with Chapter 10 for the reporting of dangerous goods accidents, dangerous goods incidents and occasions when undeclared or misdeclared dangerous goods are discovered in mail offered for air transport.**

8.1.2 A designated postal operator that allows dangerous goods in mail shall:

- a) ensure that dangerous goods are only permitted in the mail in accordance with Part 1:2.3 of the Technical Instructions; and**
- b) not permit lithium batteries identified in Part 1:2.3 of the Technical Instructions in the mail into air transport unless the civil aviation authority of its State has issued a specific approval.**

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	Current Standard 11.4 requires procedures of designated postal operators for controlling the introduction of dangerous goods in mail into air transport be approved by the civil aviation authority of the State where the mail is accepted. Annex 18 does not require the designated postal operators to do anything. This new SARP outlines what the designated operator needs to do and what the civil aviation authority needs to consider when approving its procedures. It also adds a requirement for procedures for reporting of dangerous goods accidents, dangerous goods incidents and occasions when undeclared or misdeclared dangerous goods offered for air transport are discovered in mail. Data from these reports is necessary for the State's safety risk management activities.

8.1.3 Each State's designated postal operator accepting mail in another State shall comply with the requirements of 8.1.1 and 8.1.2.

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	The designated postal operator is responsible for its postal operators regardless of where they operate. The civil aviation authority needs to evaluate how the designated postal operator manages its operation in other States when approving the dangerous goods training programme.

Moved from 11.4:

**11.48.2 Approval of procedures for controlling the introduction of
Dangerous goods by mail into air transport**

The procedures of a State's designated postal operators for controlling the introduction of dangerous goods in mail into air transport identified in 8.1 shall be approved by the State's civil aviation authority of the State where the mail is accepted.

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	The wording of the Standard was modified to remove any implication that the State must approve procedures of a foreign designated postal operator operating in its territory.

Current Note 1 is moved to top of this chapter:

~~— *Note 1.*— In accordance with the Universal Postal Union (UPU) Convention, dangerous goods are not permitted in mail, except as provided for in the Technical Instructions.~~

Note 1.— See Chapter 9 for approval of the designated postal operator's dangerous goods training programme.

~~*Note 2.— The Universal Postal Union has established procedures to control the introduction of dangerous goods into air transport through the postal services. The Universal Postal Convention embodies the rules applicable throughout the international postal service and the provisions concerning the letter-post and parcel-post services. The Universal Postal Union (UPU) requires that member countries ensure that their designated postal operators fulfil the obligations arising from the Universal Postal Convention. The Regulations to the Universal Postal Convention contain the rules of application necessary for the implementation of the Universal Postal Convention and reflect the ICAO Standards and Recommended Practices for the transport of dangerous goods in airmail (see the UPU Convention Manual/Parcel Post Regulations and Letter Post Regulations).*~~

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	Amendments to the note were made to more accurately reflect the role of the Universal Postal Union.

Note 3.— Guidance for approving the procedures established by designated postal operators to control the introduction of dangerous goods into air transport may be found in the Supplement to the Technical Instructions (Part S-1, Chapter 3).

CHAPTER 9. — PROVISION OF INFORMATION

Moved to 6.7:

9.1 — Information to pilot in command

~~The operator of an aircraft in which dangerous goods are to be carried shall provide the pilot in command as early as practicable before departure of the aircraft with written information as specified in the Technical Instructions.~~

Moved to 6.8.1:

9.2 — Information and instructions to flight crew members

~~The operator shall provide such information in the Operations Manual as will enable the flight crew to carry out its responsibilities with regard to the transport of dangerous goods and shall provide instructions as to the action to be taken in the event of emergencies arising involving dangerous goods.~~

Moved to 7.2:

9.3 — Information to passengers

~~Each Contracting State shall ensure that information is promulgated in such a manner that passengers are warned as to the types of dangerous goods which they are forbidden from transporting aboard an aircraft as provided for in the Technical Instructions.~~

Captured in Chapter 6:

9.4 — Information to other persons

~~Operators, shippers or other organizations involved in the transport of dangerous goods by air shall provide such information to their personnel as will enable them to carry out their responsibilities with regard to the transport of dangerous goods and shall provide instructions as to the action to be taken in the event of emergencies arising involving dangerous goods.~~

9.5 — Information from pilot in command to aerodrome authorities

Moved to 6.8.2:

~~If an in flight emergency occurs, the pilot in command shall, as soon as the situation permits, inform the appropriate air traffic services unit, for the information of aerodrome authorities, of any dangerous goods on board the aircraft, as provided for in the Technical Instructions.~~

Moved to 6.8.3:

9.6—Information in the event of an aircraft accident or incident

— 9.6.1 — In the event of:

— a) — an aircraft accident; or

— b) — a serious incident where dangerous goods carried as cargo may be involved,

the operator of the aircraft carrying dangerous goods as cargo shall provide information, without delay, to emergency services responding to the accident or serious incident about the dangerous goods on board, as shown on the written information to the pilot in command. As soon as possible, the operator shall also provide this information to the appropriate authorities of the State of the Operator and the State in which the accident or serious incident occurred.

— 9.6.2 — In the event of an aircraft incident, the operator of an aircraft carrying dangerous goods as cargo shall, if requested to do so, provide information without delay to emergency services responding to the incident and to the appropriate authority of the State in which the incident occurred, about the dangerous goods on board, as shown on the written information to the pilot in command.

— *Note.* — *The terms “accident”, “serious incident” and “incident” are as defined in Annex 13.*

<i>Origin:</i>	<i>Rationale for approach taken in amending the training provisions:</i>
DGP/29	Much of the dangerous goods training provisions currently in the Technical Instructions are proposed for inclusion in Annex 18. It is considered more appropriate to include training provisions in the Annex because the State's oversight responsibilities including the obligation to approve dangerous goods training programmes of the operator and may determine that approval is necessary for other entities in its State as well. Keeping the provisions in the Annex creates more visibility to the State and ensures they are consulted when amendments are proposed.

Moved from Chapter 10:

~~CHAPTER 10~~ **9. TRAINING PROGRAMMES AND ASSESSMENT**

<i>Origin:</i>	<i>Rationale for approach taken in amending the training provisions:</i>
DGP/29	The title is modified to reflect the critical role assessment plays in ensuring personnel are competent to perform their dangerous goods functions.

10.19.1 Establishment of Dangerous goods training programmes

Note 1.— A training programme includes elements such as design methodology, assessment, initial and recurrent training, instructor qualifications and competencies, training records, and evaluation of the effectiveness of the training.

<i>Origin:</i>	<i>Rationale for approach taken in amending the training provisions:</i>
DGP/29	The note is moved from the Technical Instructions. It is intended to make it clear that the State needs to consider more than a course syllabus when approving dangerous goods training programmes.

~~Initial and recurrent dangerous goods training programmes shall be established and maintained in accordance with the Technical Instructions.~~ **9.1.1 Each State shall require the establishment and maintenance of a dangerous goods training programme by any entity that:**

a) offers, handles, or transports dangerous goods by air; or

b) causes dangerous goods to be offered, handled, or transported by air.

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	Who requires a dangerous goods training programme is currently established in the Technical Instructions. There have been extensive discussions on the Dangerous Goods Panel on whether training programmes can be required for entities not intending to handle dangerous goods by air. Entities such as freight forwarders play an important role in preventing undeclared dangerous goods from being introduced into the air cargo system, but they can only do this if they know how to identify them. A mandatory requirement for freight forwarders and other entities handling general cargo to be trained was introduced into the 2005-2006 Edition of the Technical Instructions, but some panel members had not interpreted

	<p>the provisions to be mandatory because they referred to guidance. Whether mandating training for entities not intending to handle dangerous goods is feasible globally was raised by the DGP when it was revising the dangerous goods training provisions in the Technical Instructions to support a competency-based approach to training and assessment. Some States did not have oversight authority over entities not performing functions described in the Technical Instructions, so a mandatory requirement was not feasible in those States. However, entities performing functions described in the Technical Instructions are required to be trained in those States regardless of whether they knowingly or unknowingly perform them. The amendment is intended to capture this concept.</p>
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Moved from under 10.2.1:

Note.— ~~Ad~~ dangerous goods training programmes ~~are~~ is required for all operators regardless of whether ~~or not they are approved~~ the operator has been issued a specific approval to transport dangerous goods as cargo in accordance with Annex 6.

<p>Origin: DGP/29</p>	<p>Rationale: Amendments to the note are proposed to refer to the specific approval required by Annex 6 and to specify that it applies to cargo. The need for all operators to have dangerous goods training programmes is established in new 9.1.1, but it is important to maintain this note for the same reason it was added through Amendment 12 to Annex 18. The need for clarification was based on safety oversight audit results that highlighted a lack of awareness of dangerous goods training requirements in relation to operators not approved to carry dangerous goods.</p>
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9.1.2 Each State shall require the establishment and maintenance of a dangerous goods training programme by its designated postal operators regardless of whether the designated postal operator allows the introduction of dangerous goods in mail in accordance with Part 1 of the Technical Instructions.

~~10.2.1~~ 10.2.2 Approval of training programmes

~~10.2.1~~ 9.2.1 The Dangerous goods training programme for operators appropriate authority of the State of the Operator shall be approved by the appropriate authority of the State of the Operator the operator’s dangerous goods training programme.

<p>Origin: DGP/29</p>	<p>Rationale: Editorial revision for the sake of alignment with the wording of other Standards.</p>
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Moved from under 10.2.3

Note 2.— ~~See 4.2.2 of Annex 6 — Operation of Aircraft, Part I — International Commercial Air Transport — Aeroplanes for surveillance of operations by a foreign operator, Parts I, III and IV require that States recognize as valid the air operator certificate (AOC) issued by another State provided that the requirements under which the certificate was issued are at least equal to the applicable Standards specified in Annexes 6 and 19. This includes the operator’s dangerous goods training programme.~~

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	Modified to clarify the intent of the existing note and to add missing references. It has been reported that some States subject foreign operators' training programmes to review and approval despite training programmes only being subject to the approval of the State of the Operator. A reference to the Standard in Annex 6 that specifies that the State shall recognize as valid an air operator certificate issued by another Contracting State was added through Amendment 12 to Annex 18. The expands the note by describing the actual requirement in Annex 6.

Moved to under 9.1.1 as Note 1:

~~— *Note.*— *Dangerous goods training programmes are required for all operators regardless of whether or not they are approved to transport dangerous goods.*~~

~~10.2.29.2.2~~ **The State's civil aviation authority shall approve the** Dangerous goods training programmes **of the State's** for designated postal operators ~~shall be approved by the civil aviation authority of the State where the mail is accepted by the designated postal operator.~~

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	<p>Revised to clarify the scope of oversight. Designated postal operators may operate in different States. The wording of the current Standard may imply that the civil aviation authority must approve the training programme of foreign designated postal operators operating in its State.</p> <p>The existing SARP was added to Annex 18 through Amendment 12, along with new Standards in current 11.4, to control the introduction of dangerous goods not permitted in mail from entering the airmail stream. The provisions were intended to provide for stronger relationships between civil aviation and postal authorities. Not specifying the civil aviation authority as the authority required to approve the training programme could result in the designated postal operator approving itself. The civil aviation authority needs to approve the dangerous goods programme because of the unique risks to air transport of which the designated postal operator may not be aware.</p>

~~10.2.39.2.3~~ **Recommendation.**— *Dangerous goods training programmes required for entities other than operators and designated postal operators should be approved as determined by the appropriate national authority in accordance with its safety risk management activities.*

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	Modified to clarify that a risk-based approach to determining whether to approve other entities should be used. The decision will be different among States based on the level of risk posed by specific entities in the State and the size and complexity of the State. Alternate risk mitigating approaches may be more appropriate

~~— *Note 1.*— *See 11.4 for dangerous goods by mail.*~~

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	Deleted because provisions for the mail are no longer contained in one area and it would be inconsistent to cross reference provisions for one entity without cross referencing parts of the Annex for others.

Moved to under 9.2.1

~~Note 2. See 4.2.2 of Annex 6 — Operation of Aircraft, Part I — International Commercial Air Transport Aeroplanes for surveillance of operations by a foreign operator.~~

9.3 Competency of personnel

9.3.1 Each State shall require the employer to ensure their personnel are competent to perform any function for which they are responsible prior to performing any of these functions through dangerous goods training and assessment commensurate with the functions for which they are responsible.

9.3.2 Each State shall require the employer to provide initial and recurrent dangerous goods training and assessment in accordance with the Technical Instructions.

9.3.3 Each State shall require the employer to ensure that the competency of personnel is maintained.

9.3.4 Each State shall require the employer to ensure that instructors delivering dangerous goods training are competent in instruction and the function(s) that they will instruct prior to delivering such training.

Note. — An approach to ensuring personnel are competent to perform any function for which they are responsible is provided in Guidance on a Competency-based Approach to Dangerous Goods Training and Assessment (Doc 10147).

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	Moved from the Technical Instructions to make the requirements clear to the State.

9.4 Training and assessment records

9.4.1 Each State shall require the employer to maintain and retain records of training and assessment in accordance with the Technical Instructions.

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	The SARPs in Section 9.3 are moved from the Technical Instructions. The record of training provides evidence that employees have been trained and assessed as competent to perform their functions. They provide a standardized tool for authorities to use when evaluating training programmes.

Moved to Chapter 9:

CHAPTER 10. — TRAINING PROGRAMMES

Moved to 9.1:

10.1 — Establishment of training programmes

~~Initial and recurrent dangerous goods training programmes shall be established and maintained in accordance with the Technical Instructions.~~

Moved to 9.2:

10.2 — Approval of training programmes

~~— 10.2.1 — Dangerous goods training programmes for operators shall be approved by the appropriate authority of the State of the Operator.~~

Moved to under 9.1.1:

~~— Note. — Dangerous goods training programmes are required for all operators regardless of whether or not they are approved to transport dangerous goods.~~

Moved to 9.2.2:

~~— 10.2.2 — Dangerous goods training programmes for designated postal operators shall be approved by the civil aviation authority of the State where the mail is accepted by the designated postal operator.~~

Moved to 9.2.3:

~~— 10.2.3 **Recommendation.** — Dangerous goods training programmes required for entities other than operators and designated postal operators should be approved as determined by the appropriate national authority.~~

~~— Note 1. — See 11.4 for dangerous goods by mail.~~

Moved to under 9.2.1:

~~— Note 2. — See 4.2.2 of Annex 6 — Operation of Aircraft, Part I — International Commercial Air Transport — Aeroplanes for surveillance of operations by a foreign operator.~~

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	This rationale applies to all of Chapter 10. Chapter 10 replaces reporting and investigation provisions currently contained in Chapter 12. It expands upon the safety data and safety information collection, analysis, protection, sharing and exchange SARPs contained in Chapter 5 of Annex 19 to apply specifically to dangerous goods.

CHAPTER 10. DANGEROUS GOODS SAFETY INTELLIGENCE

Note.— In addition to the provisions of this chapter, other provisions relative to the promotion of dangerous goods accident and incident prevention by collection and analysis of safety data and by a prompt exchange of safety information, as part of the State safety programme (SSP), are included in Annex 19 — Safety Management and, to this effect, are applicable to this Annex. Further guidance is contained in the Safety Management Manual (SMM) (Doc 9859).

10.1 Safety data collection and processing systems

The State shall ensure its safety data collection and processing systems (SDCPS) capture, store, aggregate and enable the analysis of dangerous goods safety data and dangerous goods safety information in accordance with Annex 19, 5.1.

Note 1.— Within the context of this Annex, SDCPS refers to processing and reporting systems, safety databases, schemes for exchange of information, and recorded information including but not limited to:

- a) data and information related to safety investigations by State authorities, operators or other entities involved with the transport of dangerous goods by air;*
- b) mandatory safety reporting systems as indicated in 5.1.2 of Annex 19 and 10.1.1 of this Annex; and*
- c) voluntary safety reporting systems as indicated in 5.1.3 of Annex 19 and 10.1.2 of this Annex.*

Note 2.— Guidance related to SDCPS is contained in the Safety Management Manual (SMM) (Doc 9859) and the [DG guidance material].

10.1.1 Mandatory safety reporting system

10.1.1.1 States shall include reporting of dangerous goods accidents, dangerous goods incidents and occasions when undeclared or misdeclared dangerous goods are discovered as part of their mandatory safety reporting systems in accordance with the provisions of Annex 19.

10.1.1.2 States' mandatory reporting systems shall include a requirement for the operator to report dangerous goods accidents and dangerous goods incidents to the appropriate national authority of the State in which they occurred and to the State of the Operator.

10.1.1.3 States' mandatory reporting systems shall include a requirement for the operator to report occasions when undeclared or misdeclared 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.

10.1.1.4 States' mandatory reporting systems shall include a requirement for the operator to report occasions when dangerous goods not permitted to be carried by passengers or crew members 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 to the appropriate national authority of the State in which this occurred.

Note.— Dangerous goods permitted to be carried by passengers and crew members are provided in Part 8 of the Technical Instructions.

10.1.1.5 States' mandatory reporting systems shall include a requirement for its designated operators to report dangerous goods accidents, dangerous goods incidents and occasions when dangerous goods which do not comply with the provisions of this Annex and the Technical Instructions are discovered in mail offered for air transport.

10.1.1.6 **Recommendation.**— *States' mandatory reporting systems should include a requirement for entities other than operators to report dangerous goods accidents and dangerous goods incidents to the appropriate national authority of the State in which they occurred.*

10.1.1.7 **Recommendation.**— *States' mandatory reporting systems should include a requirement for entities other than operators to report occasions when undeclared or misdeclared dangerous goods are discovered to the appropriate national authority of the State in which they were discovered.*

10.1.2 Voluntary safety reporting system

10.1.2.1 States shall establish a voluntary dangerous goods safety reporting system to collect safety data and safety information from operators that is not captured by mandatory safety reporting systems in accordance with Annex 19, 5.1.

10.1.2.2 **Recommendation.**— *States should establish a voluntary dangerous goods safety reporting system to collect safety data and safety information from entities other than operators, not captured by mandatory reporting systems in accordance with Annex 19, 5.1.*

10.2 Safety data and safety information analysis

States shall establish and maintain a process to analyze the dangerous goods safety data and dangerous goods safety information from the SDCPS and associated safety databases in accordance with Annex 19, 5.2.

10.3 Safety data and safety information protection

10.3.1 States shall accord protection to dangerous goods safety data captured by, and dangerous goods safety information derived from, voluntary safety reporting systems and related sources in accordance with Annex 19, 5.3.

10.3.2 **Recommendation.**— *States should extend the protection referred to in 10.3.1 to safety data captured by, and safety information derived from, mandatory dangerous goods safety reporting system and related sources in accordance with Annex 19, 5.3.*

10.4 Safety information sharing and exchange

10.4.1 The State shall share and exchange dangerous goods safety information in accordance with Annex 19, 5.4.

10.4.2 If a State, in the analysis of the dangerous goods information contained in its safety data collection and processing system (SDCPS), identifies safety issues which may pose an unacceptable risk to the global aviation safety system, that State shall forward such safety information to ICAO with a minimum of delay.

Note 1.— Provisions for a SDCPS and safety information sharing and exchange between States are included in Annex 19. Further guidance is contained in the Safety Management Manual (SMM) (Doc 9859).

Note 2.— Whenever practicable, the safety information sent to ICAO is to be prepared in one of the working languages of the Organization.

10.4.3 States shall provide ICAO with dangerous goods information from their SDCPS upon request to address global safety issues related to the transport of dangerous goods by air.

10.4.4 States shall participate in cooperative efforts with other States to eliminate unsafe practices and non-compliance with the Technical Instructions.

10.4.5 States' cooperative efforts shall include coordination of investigations of dangerous goods accidents and dangerous goods incidents, identified safety issues related to the transport of dangerous goods by air, non-compliance with the Technical Instructions and enforcement actions.



CHAPTER 11. COMPLIANCE

Moved to

11.1—Inspection systems

Each Contracting State shall establish inspection, surveillance and enforcement procedures for all entities performing any function prescribed in its regulations for air transport of dangerous goods with a view to achieving compliance with those regulations.

— *Note 1.* — *It is envisaged that these procedures would include provisions for:*

— *inspecting dangerous goods consignments prepared, offered, accepted or transported by the entities referred to in 11.1;*

— *inspecting the practices of the entities referred to in 11.1; and*

— *investigating alleged violations (see 11.3).*

— *Note 2.* — *Guidance on dangerous goods inspections and enforcement may be found in the Supplement to the Technical Instructions (Part S 5, Chapter 1 and Part S 7, Chapters 5 and 6).*

11.2—Cooperation between States

Moved to 3.2.3.2:

— **Recommendation.** — *Each Contracting State should participate in cooperative efforts with other States concerning violations of dangerous goods regulations, with the aim of eliminating such violations. Cooperative efforts could include coordination of investigations and enforcement actions; exchanging information on a regulated party's compliance history; joint inspections and other technical liaisons, exchange of technical staff, and joint meetings and conferences. Appropriate information that could be exchanged include safety alerts, bulletins or dangerous goods advisories; proposed and completed regulatory actions; incident reports; documentary and other evidence developed in the investigation of incidents; proposed and final enforcement actions; and educational/outreach materials suitable for public dissemination.*

11.3—Penalties

— 11.3.1 — *Each Contracting State shall take such measures as it may deem appropriate to achieve compliance with its dangerous goods regulations including the prescription of appropriate penalties for violations.*

— 11.3.2 — **Recommendation.** — *Each Contracting State should take appropriate action to achieve compliance with its dangerous goods regulations, including the prescription of appropriate penalties for violations, when information about a violation is received from another Contracting State, such as when a consignment of dangerous goods is found not to comply with the requirements of the Technical Instructions on arrival in a Contracting State and that State reports the matter to the State of Origin.*

Origin: DGP/29	Rationale:
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Moved to Chapter 7:

~~11.4—Dangerous goods by mail~~

~~The procedures of designated postal operators for controlling the introduction of dangerous goods in mail into air transport shall be approved by the civil aviation authority of the State where the mail is accepted.~~

~~— Note 1.— In accordance with the Universal Postal Union (UPU) Convention, dangerous goods are not permitted in mail, except as provided for in the Technical Instructions.~~

~~— Note 2.— The Universal Postal Union has established procedures to control the introduction of dangerous goods into air transport through the postal services (see the UPU Parcel Post Regulations and Letter Post Regulations).~~

~~— Note 3.— Guidance for approving the procedures established by designated postal operators to control the introduction of dangerous goods into air transport may be found in the Supplement to the Technical Instructions (Part S-1, Chapter 3).~~

~~CHAPTER 12. DANGEROUS GOODS ACCIDENT AND INCIDENT REPORTING~~

Moved partly to 3.2.3 and partly to 10.1.1.2:

~~12.1 With the aim of preventing the recurrence of dangerous goods accidents and incidents, each Contracting State shall establish procedures for investigating and compiling information concerning such accidents and incidents which occur in its territory and which involve the transport of dangerous goods originating in or destined for another State. Reports on such accidents and incidents shall be made in accordance with the detailed provisions of the Technical Instructions.~~

~~— 12.2 **Recommendation.** — *With the aim of preventing the recurrence of dangerous goods accidents and incidents, each Contracting State should establish procedures for investigating and compiling information concerning such accidents and incidents which occur in its territory other than those described in 12.1. Reports on such accidents and incidents should be made in accordance with the detailed provisions of the Technical Instructions.*~~

~~— 12.3 With the aim of preventing the recurrence of instances of undeclared or misdeclared dangerous goods in cargo, each Contracting State shall establish procedures for investigating and compiling information concerning such occurrences which occur in its territory and which involve the transport of dangerous goods originating in or destined for another State. Reports on such instances shall be made in accordance with the detailed provisions of the Technical Instructions.~~

~~— 12.4 **Recommendation.** — *With the aim of preventing the recurrence of instances of undeclared or misdeclared dangerous goods in cargo, each Contracting State should establish procedures for investigating and compiling information concerning such occurrences which occur in its territory other than those described in 12.3. Reports on such instances should be made in accordance with the detailed provisions of the Technical Instructions.*~~

CHAPTER 11. DANGEROUS GOODS SECURITY PROVISIONS

11.1 Each Contracting State shall establish dangerous goods security measures, applicable to shippers, operators and other individuals entities in the supply chain engaged in the transport of dangerous goods by air, to be taken to minimize theft or misuse of dangerous goods that may endanger persons, property or the environment. These measures should be commensurate with security provisions specified in other Annexes and the Technical Instructions.

<i>Origin:</i>	<i>Rationale:</i>
DGP/29	The current reference to “other individuals” is ambiguous. Referring to “entities in the supply chain” covers the specific entities currently referred to and “other individuals” more clearly.

APPENDIX C
PROPOSED AMENDMENT TO ANNEX 6

PROPOSED AMENDMENT TO

ANNEX 6

OPERATION OF AIRCRAFT

PART I — INTERNATIONAL COMMERCIAL AIR TRANSPORT — AEROPLANES

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CHAPTER 14. DANGEROUS GOODS

14.1 STATE RESPONSIBILITIES

Note 1. — Annex 18, Chapter 11, contains requirements for each Contracting State to establish oversight procedures for all entities (including packers, shippers, ground handling agents and operators) performing dangerous goods functions.

Note 21. — Operator responsibilities for the transport of dangerous goods are contained in Chapters 86, 9 and 10 of Annex 18. Part 7 of the Technical Instructions for the Safe Transport of Dangerous Goods by Air (Doc 9284) (Technical Instructions) contains the operator's responsibilities and requirements for incident and accident reporting.

Note 32. — The requirements pertaining to crew members or passengers carrying dangerous goods on aircraft are set forth in Part 8, Chapter 1, of the Technical Instructions.

Note 43. — COMAT that meets the classification criteria of the Technical Instructions for dangerous goods are considered cargo and must be transported in accordance with Part 1;2.2.2 or Part 1;2.2.3 of the Technical Instructions (e.g. aircraft parts such as chemical oxygen generators, fuel control units, fire extinguishers, oils, lubricants, cleaning products).

<i>Origin:</i>	<i>Rationale:</i>
DGP-WG/Annex 18	Note 1 is proposed for deletion as the provisions it refers to in Annex 18 are proposed for deletion. The amendments in Note 2 are editorial amendments to references to reflect the new proposed structure of Annex 18.

**14.2 OPERATORS WITH NO SPECIFIC APPROVAL FOR THE
TRANSPORT OF DANGEROUS GOODS AS CARGO**

The State of the Operator shall ensure that operators with no specific approval to transport dangerous goods have:

- a) established a dangerous goods training programme that meets the requirements of Annex 18, ~~the applicable requirements of the Technical Instructions, Part 1, Chapter 4, Chapter 9~~ and the requirements of the State's regulations, as appropriate. Details of the dangerous goods training programme shall be included in the operator's operations manuals;
- b) established dangerous goods ~~policies and~~ procedures, instructions and guidance in its operations manual ~~to meet for personnel executing~~, at a minimum, the requirements of Annex 18, Chapter 6, 6.2, the Technical Instructions and the State's regulations ~~to allow operator personnel to:~~
 - 1) ~~identify and reject undeclared dangerous goods, including COMAT classified as dangerous goods; and~~
 - 2) ~~report to the appropriate authorities of the State of the Operator and the State in which it occurred any:~~
 - i) ~~occasions when undeclared dangerous goods are discovered in cargo or mail; and~~
 - ii) ~~dangerous goods accidents and incidents.~~

14.3 OPERATORS WITH A SPECIFIC APPROVAL FOR THE TRANSPORT OF DANGEROUS GOODS AS CARGO

The State of the Operator shall issue a specific approval for the transport of dangerous goods and ensure that the operator:

- a) establishes a dangerous goods training programme that meets the requirements ~~in the Technical Instructions, Part 1, Chapter 4, Table 1-4, of Annex 18, Chapter 9~~ and the requirements of the State regulations, as appropriate. Details of the dangerous goods training programme shall be included in the operator's operations manuals;
- b) establishes dangerous goods ~~policies and~~ procedures, instructions and guidance in its operations manual ~~to meet for personnel executing~~, at a minimum, the requirements of Annex 18, Chapter 6, 6.3, the Technical Instructions and the State's regulations ~~to enable operator personnel to:~~
 - 1) ~~identify and reject undeclared or misdeclared dangerous goods, including COMAT classified as dangerous goods;~~
 - 2) ~~report to the appropriate authorities of the State of the Operator and the State in which it occurred any:~~
 - i) ~~occasions when undeclared or misdeclared dangerous goods are discovered in cargo or mail; and~~
 - ii) ~~dangerous goods accidents and incidents;~~
 - 3) ~~report to the appropriate authorities of the State of the Operator and the State of Origin any occasions when dangerous goods are discovered to have been carried;~~
 - i) ~~when not loaded, segregated, separated or secured in accordance with the Technical Instructions, Part 7, Chapter 2; and~~

~~ii) without information having been provided to the pilot in command;~~

~~4) accept, handle, store, transport, load and unload dangerous goods, including COMAT classified as dangerous goods as cargo on board an aircraft; and~~

~~5) provide the pilot in command with accurate and legible written or printed information concerning dangerous goods that are to be carried as cargo.~~

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<i>Origin:</i>	<i>Rationale:</i>
DGP-WG/Annex 18	The amendments to 14.2 and 14.3 are proposed to replace detailed provisions that are contained in Annex 18 with references to Annex 18 and to align with language used in Annex 18. Proposed amendments to Annex 18 include a restructuring of the chapter on the operator's responsibilities that aligns with this structure, making it easy to refer to the provisions in Annex 18.

PART III INTERNATIONAL OPERATIONS - HELICOPTERS**CHAPTER 12. DANGEROUS GOODS**

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12.2 STATE RESPONSIBILITIES

Note 1.— Annex 18, Chapter 2, contains requirements for each State to take the necessary measures to achieve compliance with the detailed provisions contained in the Technical Instructions.

Note 2.— Operator responsibilities for the transport of dangerous goods are contained in Chapters ~~8, 9 and 10 of Annex 18~~. Part 7 of the Technical Instructions contains the operator's responsibilities ~~and requirements for incident and accident reporting~~.

~~— Note 3.— Annex 18, Chapter 11 contains requirements for each Contracting State to establish oversight procedures for all entities (including packers, shippers, ground handling agents and operators) performing dangerous goods functions.~~

Note 43.— The requirements pertaining to crew members or passengers carrying dangerous goods on aircraft are set forth in Part 8;1, of the Technical Instructions.

Note 54.— Operator material (COMAT) that meets the classification criteria of the Technical Instructions for dangerous goods are considered cargo and must be transported in accordance with Part 1;2;2.2 of the Technical Instructions (e.g. aircraft parts such as chemical oxygen generators, fuel control units, fire extinguishers, oils, lubricants and cleaning products).

<i>Origin:</i>	<i>Rationale:</i>
DGP-WG/Annex 18	The amendments in Note 2 are editorial amendments to references to reflect the new proposed structure of Annex 18. Note 3 is proposed for deletion as the provisions it refers to in Annex 18 are proposed for deletion.

12.3 OPERATORS WITH NO SPECIFIC APPROVAL FOR THE TRANSPORT OF DANGEROUS GOODS AS CARGO

The State of the Operator shall ensure that operators with no specific approval to transport dangerous goods have:

- a) established a dangerous goods training programme that meets the requirements of Annex 18, ~~the applicable requirements of the Technical Instructions, Part 1;4, Chapter 9~~ and the requirements of the State's regulations, as appropriate. Details of the dangerous goods training programme shall be included in the operators' operations manuals; and

- b) established dangerous goods policies and procedures, instructions and guidance in their operations manuals to meet, for personnel executing, at a minimum, the requirements of Annex 18, Chapter 6, 6.2, the Technical Instructions and the State's regulations, to allow operator personnel to:
 - 1) identify and reject undeclared dangerous goods, including COMAT classified as dangerous goods; and
 - 2) report to the appropriate authorities of the State of the Operator, and the State in which it occurred, any:
 - i) occasions when undeclared dangerous goods are discovered in cargo or mail; and
 - ii) dangerous goods accidents and incidents.

12.4 OPERATORS WITH A SPECIFIC APPROVAL FOR THE TRANSPORT OF DANGEROUS GOODS AS CARGO

12.4.1 Overview

The State of the Operator shall issue a specific approval for the transport of dangerous goods and ensure that the operator:

- a) establishes a dangerous goods training programme that meets the requirements in the Technical Instructions, Part 1;4, of Annex 18, Chapter 9 and the requirements of the State regulations, as appropriate. Details of the dangerous goods training programme shall be included in the operator's operations manuals;
- b) establishes dangerous goods policies and procedures, instructions and guidance in its operations manual to meet, for personnel executing, at a minimum, the requirements of Annex 18, Chapter 6, 6.3, the Technical Instructions and the State's regulations, to enable operator personnel to:
 - 1) identify and reject undeclared or misdeclared dangerous goods in cargo or mail, including COMAT classified as dangerous goods;
 - 2) report to the appropriate authorities of the State of the Operator, and the State in which it occurred, any:
 - i) occasions when undeclared or misdeclared dangerous goods are discovered in cargo or mail; and
 - ii) dangerous goods accidents and incidents;
 - 3) report to the appropriate authorities of the State of the Operator any occasions when dangerous goods are discovered to have been carried:
 - i) when not loaded, segregated, separated or secured in accordance with the Technical Instructions, Part 7;2; and

- ~~ii) without information having been provided to the pilot in command;~~
- ~~4) accept, handle, store, transport, load and unload dangerous goods, including COMAT classified as dangerous goods as cargo on board an aircraft; and~~
- ~~5) provide the pilot in command with accurate and legible written or printed information concerning dangerous goods that are to be carried as cargo;~~
- ~~i) for helicopter operations, with the approval of the State of the Operator, the information provided to the pilot in command may be abbreviated or briefed by other means (e.g. radio communication, as part of the working flight documentation such as a journey log or operational flight plan) where circumstances make it impractical to produce written or printed information or a dedicated form (see the Supplement to the Technical Instructions for the Safe Transport of Dangerous Goods by Air (Doc 9284SU), Part S-7;4.8).~~

<i>Origin:</i>	<i>Rationale:</i>
DGP-WG/Annex 18	The amendments to 12.3 and 12.4 are proposed to replace detailed provisions that are contained in Annex 18 with references to Annex 18 and to align with language used in Annex 18. Proposed amendments to Annex 18 include a restructuring of the chapter on the operator’s responsibilities that aligns with this structure, making it easy to refer to the provisions in Annex 18.

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PART IV INTERNATIONAL OPERATIONS - REMOTELY PILOTED AIRCRAFT SYSTEMS

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CHAPTER 14. DANGEROUS GOODS

14.1 STATE RESPONSIBILITIES

Note 1. — Annex 18, Chapter 11, contains requirements for each Contracting State to establish oversight procedures for all entities (including packers, shippers, ground handling service provider and operators) performing dangerous goods functions.

Note 21. — Operator responsibilities for the transport of dangerous goods are contained in Chapters 8, 9 and 10 6 of Annex 18. Part 7 of the Technical Instructions for the Safe Transport of Dangerous Goods by Air (Doc 9284) (Technical Instructions) contains the operator’s responsibilities and requirements for incident and accident reporting.

Note 32. — Operator material (COMAT) that meets the classification criteria of the Technical Instructions for dangerous goods are considered cargo and must be transported in accordance with Part 1; 2.2.2 or Part 1; 2.2.3 of the Technical Instructions (e.g. aircraft parts such as lithium ion batteries, lithium metal batteries, chemical oxygen generators, fuel control units, fire extinguishers, oils, lubricants, cleaning products).

Note 43.— See also Chapter 15 regarding cargo compartment safety.

14.2 GENERAL

Transport of dangerous goods as cargo on board RPA shall not be permitted unless the State of the Operator has issued a specific approval.

14.3 OPERATORS WITH NO SPECIFIC APPROVAL FOR THE TRANSPORT OF DANGEROUS GOODS AS CARGO

The State of the Operator shall ensure that operators with no specific approval to transport dangerous goods have:

- a) established a dangerous goods training programme that meets the requirements of Annex 18, ~~the applicable requirements of Technical Instructions, Part 1, Chapter 4, Chapter 9,~~ and the requirements of the State's regulations, as appropriate. Details of the dangerous goods training programme shall be included in the operator's operations manuals;
- b) established dangerous goods ~~policies and~~ procedures, instructions and guidance in its operations manual ~~to meet~~ for personnel executing, at a minimum, the requirements of Annex 18, Chapter 6, 6.2, the Technical Instructions and the State's regulations, ~~to allow operator personnel to:~~
 - 1) ~~identify and reject undeclared dangerous goods, including COMAT classified as dangerous goods;~~
 - 2) ~~report to the appropriate authorities of the State of the Operator and the State in which it occurred any:~~
 - i) ~~occasions when undeclared dangerous goods are discovered in cargo or mail; and~~
 - ii) ~~dangerous goods accidents and incidents.~~

14.4 OPERATORS WITH A SPECIFIC APPROVAL FOR THE TRANSPORT OF DANGEROUS GOODS AS CARGO

The State of the Operator shall issue specific approval for the transport of dangerous goods and ensure that the operator:

- a) establishes a dangerous goods training programme that meets the requirements of Annex 18, ~~the Technical Instructions, Part 1, Chapter 4, Chapter 9~~ and the requirements of the State regulations, as appropriate. Details of the dangerous goods training programme shall be included in the operator's operations manuals;

- b) establishes dangerous goods policies and procedures, instructions and guidance in its operations manual to meet, for personnel executing, at a minimum, the requirements of Annex 18, Chapter 6, 6.3, the Technical Instructions and the State's regulations, to enable operator personnel to:
- 1) identify and reject undeclared or misdeclared dangerous goods, including COMAT classified as dangerous goods;
 - 2) report to the appropriate authorities of the State of the Operator and the State in which it occurred any:
 - i) occasions when undeclared or misdeclared dangerous goods are discovered in cargo or mail; ii) dangerous goods accidents and incidents;
 - 3) report to the appropriate authorities of the State of the Operator and the State of Origin any occasions when dangerous goods are discovered to have been carried:
 - i) when not loaded, segregated, separated or secured in accordance with Technical Instructions, Part 7, Chapter 2;
 - ii) without information having been provided to the remote pilot in command;
 - 4) accept, handle, store, transport, load and unload dangerous goods, including COMAT classified as dangerous goods as cargo on board an RPA;
 - 5) provide the remote pilot in command with accurate information concerning dangerous goods that are to be carried as cargo in the format required in Annex 18 and the Technical Instructions; and
 - 6) notify emergency services at the scene of an incident or accident of the information provided to the remote pilot on the NOTOC.

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