



WORKING PAPER

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

Montréal, 15 to 19 April 2013

Agenda Item 2: Development of recommendations for amendments to the *Technical Instructions for the Safe Transport of Dangerous Goods by Air* (Doc 9284) for incorporation in the 2015-2016 Edition

2.1 : Part 1 — General

OPERATOR APPROVAL TO CARRY DANGEROUS GOODS IN AIRMAIL

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SUMMARY

This working paper seeks clarification on whether operators who do not hold an approval to carry dangerous goods are permitted to carry dangerous goods in airmail. Proposals to clarify the requirements are provided in amendments to Part 1;2.3.2 of the Technical Instructions.

Action by the DGP-WG is in paragraph 2.

1. INTRODUCTION

1.1 Part 1;2.3.1 in the Technical Instructions states that “*dangerous goods as defined in these Instructions with the exception of those listed below are not permitted in mail*” and it leaves it up to the national authorities to ensure that the provisions are complied with in relation to the transport of dangerous goods by air.

1.2 Anything listed in 1;2.3.2, that is, the dangerous goods that may be acceptable in mail for air carriage, is subject to the provisions of the national authorities and to the Instructions, and this is stated as follows: “*The following dangerous goods may be acceptable in mail for air carriage subject to the provisions of the appropriate national authorities concerned and these Instructions which relate to such material*”.

1.3 Dangerous goods subject to the Technical Instructions can only be transported by operators holding an approval to transport dangerous goods, according to the European Regulations. There is no differentiation between mail and cargo within the rules in Europe. Therefore, only operators holding an approval to transport dangerous goods could accept mail containing dangerous goods from

DPOs because it is understood that these goods are subject to the Instructions. Only mail free of dangerous goods could be carried by operators who do not have an approval.

2. ACTION BY THE DGP-WG

2.1 The DGP-WG is invited to:

- a) clarify whether the intention of the Technical Instructions is to only permit mail containing dangerous goods to be carried by operators holding an approval to transport dangerous goods; or
- b) if operators who do not have this approval can accept mail from DPOs regardless of it containing dangerous goods.

An interpretation of 1;2.3.2 is requested.

2.2 Depending on the outcome of the discussion and therefore on the interpretation made by the working group, the following proposals are made:

- a) **Proposal 1:** If it is understood by the DGP that only operators holding an approval to transport dangerous goods can accept mail containing dangerous goods, this interpretation should be stated in the report. Additionally, in case it is decided that the text in the Technical Instructions is not clear enough in this regard, a new note is proposed under Note 2:

Note 3.— Only operators having an approval to transport dangerous goods are permitted to accept mail containing dangerous goods from designated postal operators.

- b) **Proposal 2:** If it is understood by the DGP that the operators do not need to have an approval to accept and carry mail containing dangerous goods, the DGP is invited to consider amending the text in 1;2.3.1 in a way that this is clearly stated. It is also suggested amending the sentence to say that that these goods must follow the provisions contained in the Instructions instead of saying that they are subject to the Instructions. This way, minimum common standards are established and confusion is avoided as regards to the meaning of being subject to the Technical Instructions:

2.3.2 The following dangerous goods may be acceptable in mail for air carriage by all operators whether they hold an approval to transport dangerous goods or not, subject to the provisions of the appropriate national authorities concerned and as long as the provisions contained in these Instructions which relate to such material are complied with:

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— END —