



DANGEROUS GOODS PANEL (DGP)

TWENTY-FIRST MEETING

Montréal, 5 to 16 November 2007

Agenda Item 1: Development of proposals, if necessary, for amendments to Annex 18 — *The Safe Transport of Dangerous Goods by Air*

SCOPE OF INSPECTION SYSTEMS REQUIRED BY 11.1 OF ANNEX 18

(Presented by G.A. Leach)

SUMMARY

This paper requests the Secretary to seek the opinion of the ICAO Legal Bureau as to the scope of paragraph 11.1 of Annex 18.

Action by the DGP is in paragraph 1.

1. INTRODUCTION

1.1 Paragraph 11.1 of Annex 18 states:

11.1 Inspection systems

Each Contracting State shall establish inspection, surveillance and enforcement procedures with a view to achieving compliance with its dangerous goods regulations.

1. It is queried whether paragraph 11.1 is intended to place a responsibility on States to inspect and survey foreign operators operating to and from their State. It could be interpreted that if a State's "dangerous goods regulations" apply to such operators, then paragraph 11.1 would require them to be so inspected. However, this appears to be at variance with other aspects of aviation; for example, in the United Kingdom, foreign operators are not routinely inspected by the UK Civil Aviation Authority for compliance with the requirements of Annexes 1, 6 and 8, although they may be under special circumstances (e.g. EC SAFA ramp checks).

2. ACTION BY THE DGP

2.1 No proposal is made in this paper. However, the Secretary is requested to seek the opinion of the ICAO Legal Bureau as to whether paragraph 11.1 of Annex 18 is intended to place an obligation on a State to inspect foreign operators operating to and from their State.

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