



工 作 文 件

危险物品专家组 (DGP)

第二十三次会议

2011年10月11日至21日，蒙特利尔

议程项目2： 拟定对《危险物品安全航空运输技术细则》(Doc 9284号文件)的修订建议，以便纳入2013年 — 2014年版

INCIDENT REPORTING

(由J. Mclaughlin提交)

摘要

本文件提议对《技术细则》规定的事故征候报告采取更综合全面的做法。

危险物品专家组的行动：请危险物品专家组按本工作文件附录所示,审议纳入与事故征候报告有关的某些或全部拟议修订。

1. INTRODUCTION

1.1 All parties involved in the dangerous goods transportation safety system, including both States and regulated entities, have a vested safety interest in learning of incidents that are associated with dangerous goods in air transport within their State. Without a comprehensive knowledge of incidents, deficiencies in regulations, operations, or other processes are likely to persist. As the Forward to Technical Instructions states:

Dangerous goods accidents and incidents have to be reported so that an investigation by a relevant authority can establish the cause and take action to prevent a recurrence, wherever possible. In particular, any weakness or error in the Technical Instructions has to be identified.

1.2 The DGP Working Group of the Whole Meeting in Abu Dhabi (DGP-WG/10, 7 to 11 November 2010) discussed the need for States to have a shipper oversight program consistent with the risk that shippers present in the dangerous goods transportation safety system (DGP/23-WP/2, paragraph 3.1.3 refers). The subject of shipper oversight was also raised at the spring working group

meeting (DGP-WG/11, Atlantic City, 4 to 8 April 2011) during discussions on State approaches to shipper oversight and competency frameworks (DGP/23-WP/3, paragraphs 3.1.2 and 3.5.6 refer). One common element of these discussions, especially with respect to allocating inspector resources, is the need for States to be aware of shippers already known to have offered dangerous goods shipments associated with air transport incidents. This knowledge can appropriately influence the priority in which States assess compliance of the dangerous goods shippers.

1.3 The DGP may wish to consider the operator-centric incident reporting requirements currently prescribed by the Technical Instructions. Current incident reporting requirements in Part 7 are only required to be reported by operators. To more comprehensively address the goals articulated in paragraphs 1.1 and 1.2, this paper proposes to mandate incident reporting beyond the operator's possession or responsibility for the dangerous goods. That is, once offered for air transport, reporting dangerous goods incidents is proposed to be mandatory — inclusive of those transportation functions which occur prior to operator acceptance. Notably, this proposal would ensure other transportation entities such as freight forwarders are subject to incident reporting. When an incident is discovered prior to operator acceptance or when the shipment is outside the operator's span of control, such information is no less significant for regulators.

1.4 While this paper is not intended to address State requirements, Annex 18 does contain relevant Standards and recommendations for sharing incident reports with other States. This approach appears to be both permitted and supported by Annex 18. Applicable provisions of Annex 18 include:

11.2 Cooperation between States

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 ... incident reports; documentary and other evidence developed in the investigation of incidents; proposed and final enforcement actions; ...*

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.*

1.5 Part 7;4.6 of the Technical Instructions is proposed to remain unchanged. These operator reporting requirements are in the context of emergency response to accidents and serious incidents.

1.6 In furtherance of the DGP's collective efforts to enhance shipper oversight, undeclared and misdeclared hazardous materials are proposed to be subject to the same reporting requirements as incidents. Aside from incidents, a significant number of undeclared shipments are discovered through the normal course of screening (operator, security, and/or customs).

附录

对技术细则的拟议修订

提案1:

第 1 部分

概论

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第 7 章

事故征候和事故报告

7.1 当发现事故征候或事故时,实际占有危险物品的每个人须遵守发现事故征候或事故的所在国的通知程序。未交付航空运输的危险物品不受此要求的约束。

注: 这包括由于适用例外或特殊规定而不受全部或部分《技术细则》约束的危险物品事故征候(如涉及干电池短路事故征候,按照3.3的特殊规定,干电池须符合预防短路的条件)。

7.2 为本章之目的,发现运营人收运时无法确认的、交付空运的未申报危险物品或误申报的危险物品,也应当被视为事故征候。

7.3 其他对运营人的要求载于第7部分。

提案2:

第 1 部分

概论

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第 7 章

事故征候和事故报告

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第7部分

运营人的责任

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第4章

通报情况

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4.5 关于未申报或误申报的危险物品的报告

4.5.1 当在货物或邮件中发现未申报或误申报的危险物品时,对于任何这样的事件,运营人必须向运营人所属国和事件发生现场所在国的有关当局报告。当在旅客行李中发现根据8;1.1.1 不允许的危险物品时,运营人也必须向事件发生现场所在国的有关当局报告。

4.5.2 发现运营人收运时无法确认的、交付空运的未申报危险物品或误申报的危险物品,也应当被视为事故征候。