



WORKING PAPER

DANGEROUS GOODS PANEL (DGP)

TWENTY-THIRD MEETING

Montréal, 11 to 21 October 2011

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

OVERSIGHT BY STATES

(Presented by the Secretary)

SUMMARY

This working paper discusses responsibilities of States with regard to oversight of all involved in the transport of dangerous goods and presents a proposal to clarify the scope of their responsibilities.

Action by the DGP: The DGP is invited to discuss the proposed amendment to paragraph 11.1 of Annex 18 — *The Safe Transport of Dangerous Goods by Air* as presented in the appendix to this working paper.

1. INTRODUCTION

1.1 At the DGP Working Group of the Whole Meeting in Abu Dhabi (DGP-WG/10, 7 to 11 November 2010), the issue of State oversight responsibilities was discussed, particularly in relation to the results of safety oversight audits. It was evident that some States are unaware of their inspection, surveillance and enforcement responsibilities beyond that of oversight of operators. At that time, there was general support for the proposal which clarified that all entities who performed a function as prescribed in its dangerous goods regulations should be subject to State oversight (DGP/23-WP/3, paragraph 3.1.3 refers), recognizing that only this would ensure a safe and secure supply chain. Since then, it has been noted that further clarification is needed in order to ensure that reference is made specifically to regulations pertaining to air transport.

1.2 It had been noted during the discussion that auditing shippers might pose difficulties, largely due to their sheer number. Members were invited to submit information on the inspection system in their State; DGP/23-WP/21 presents a proposal based on the experience gained by one State.

APPENDIX
PROPOSED AMENDMENT
TO ANNEX 18

CHAPTER 11. COMPLIANCE

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11.1 Inspection systems

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

Note.— It is envisaged that these procedures would include provisions for the inspection of both documents and cargo ~~and operators' practice~~ as well as providing a method for the investigation of alleged violations (see 11.3).

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