



## 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

### “UNDECLARED” AND “MISDECLARED” DANGEROUS GOODS

（由秘书处提交）

#### 摘要

本文件讨论了按照危险物品专家组全体工作组会议（DGP-WG/11）所达成的协议，在《技术细则》中纳入“未申报”和“误申报”的危险物品的定义的可能后果。

**危险物品专家组的行动：**请危险物品专家组从《技术细则》第1部分第3章中删除DGP-WG/11所提议的对“未申报”和“误申报”的危险物品的定义。建议临时商定的注解应当转到第7;4.5部分。

## 1. INTRODUCTION

1.1 At the Working Group of the Whole meeting in Atlantic City (DGP-WG/11, 4 to 8 April 2011), a proposal to include definitions for “undeclared” and “misdeclared” was discussed (DGP/23-WP/3 paragraph 3.2.6 refers). Concern was expressed by some members that defining “undeclared” simply in terms of the absence of a dangerous goods transport document was not only insufficient but was perhaps contradictory, given that operators were required to seek confirmation from shippers that cargo did not contain dangerous goods. It was suggested that this raised questions as to when an operator would be held accountable when transporting packages of dangerous goods, appropriately marked and labelled, but without accompanying documentation. However, the proposals were agreed after it was noted that the intent behind the definitions was to provide guidance to operators on the reporting requirements in Part 7;4.5 of the Technical Instructions.

1.2 The Secretariat is of the view that including such definitions in Part 1 of the Technical Instructions would have the consequential effect of having contradictory requirements in the Instructions, particularly with regard to “undeclared” dangerous goods. On the one hand, operators are required under Part 7;1 of the Technical Instructions to “seek confirmation from shippers about the contents of any item of cargo where there are suspicions that it may contain dangerous goods” whereas on the other, relief would be provided to the operator from this requirement through the use of this definition. Noting that the original intent of the proposal was to provide guidance to operators on the reporting requirements, it is suggested, that at most, these definitions could be included in the form of a note to Part 7;4.5, but it would be preferable to delete them. It is suggested that the note which had been agreed provisionally at DGP-WG/11 should then be transferred to 7;4.5.

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## 附录

### 对技术细则的拟议修订

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DGP/23-WP/3, 第3.2.6段:

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#### 第 1 部分

##### 概论

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#### 第 3 章

##### 一般说明

本章部分内容受国家差异条款 BE 1 的影响; 见表 A-1

##### 3.1 定义

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~~未申报的危险物品系指交付航空运输但没有随附危险物品运输文件、以电子形式提供托运物的有关信息、或替代文件（在允许的情况下）的危险物品。~~

~~误申报的危险物品系指下列情况下交付航空运输的危险物品:~~

- ~~a) 在危险物品运输文件上进行了不正确的说明, 倘若进行了正确说明, 便不会被接收承运; 或~~
- ~~b) 根据第7部分1.3的要求进行收运检查后发现它们不符合《技术细则》。~~

~~[注: 对收运检查过程中发现的不符合《技术细则》的情况没有要求进行报告, 但发现重大问题(如不正确地使用包装件)时, 运营人可能选择进行报告。]~~

## 第 7 部分

### 运营人的责任

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#### 4.5 关于未申报或误申报的危险物品的报告

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。

[注： 对收运检查过程中发现的不符合《技术细则》的情况没有要求进行报告，但发现重大问题（如不正确地使用包装件）时，运营人可能选择进行报告。]

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