



WORKING PAPER

**DANGEROUS GOODS PANEL (DGP)
WORKING GROUP MEETING (DGP-WG/15)**

Montreal, 27 April to 1 May 2015

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 2017-2018 Edition

2.1: Part 1 — General

Agenda Item 3: Development of recommendations for amendments to the *Supplement to the Technical Instructions for the Safe Transport of Dangerous Goods by Air* (Doc 9284SU) for incorporation in the 2017-2018 Edition

**REVIEW AND APPROVAL OF
DANGEROUS GOODS TRAINING PROGRAMMES — STATE OF THE OPERATOR**

(Presented by B.Firkins)

SUMMARY

The Technical Instructions require that dangerous goods training programmes be approved by the State of the Operator.

The Supplement to the Technical Instructions is being interpreted as requiring States of Origin or Destination to approve a training course, even though that State is not the State of the Operator.

Action by the DGP-WG: The DGP-WG is invited to consider an amendment to the Supplement, which is proposed in Appendix B. The DGP-WG is also invited to consider some minor changes to the text of the Technical Instructions at Part 1;4.1 which should improve clarity, without changing regulatory intent.

1. INTRODUCTION

1.1 The Technical Instructions set out a mandatory requirement, for the State of the Operator, regarding the review and approval of operator's training programmes.

1.2 Part S-7;5.6.1 of the Supplement, under the respective headings of Part S-7 “State’s Responsibilities with Respect to Operators”, Chapter 5 — “Inspections”, paragraph 5.6.1 — “Training Programmes” states:

“ 5.6.1 The Technical Instructions require that the operator’s training programmes for all staff be approved. The inspection is to confirm that training meets the requirements of the Technical Instructions.”

1.3 It has been put forward that the text of Part S-7;5.6.1, is being referred to by some States of Origin or Destination; and which are not the State of the Operator, as being the basis upon which that State is required to approve the training program. This produces the result that the operator’s training programme is being reviewed and approved by several States.

1.4 The additional regulatory and compliance burden is not supported by the Technical Instructions. It is proposed to clarify the relevant responsible authority, in the Supplement, as set out in Appendix B.

1.5 There may be States which have domestic legislation requiring them to approve training courses of foreign operators. These ought to be set out as a State variation.

1.6 There are also States which may have better resources, such as specific inspectors, and those States may decide to review a foreign operator’s course. Where a review identifies deficiencies with an operator’s course, then it is considered that whilst the State cannot compel rectification of the material deficiency, the State should be referring their observations to the relevant national authority of the State of the Operator. The working group is invited to provide comment on whether there should be a note to this effect.

1.7 The working group is also invited to consider and accept some minor changes to the text of the Technical Instructions at Part 1;4.1 which should improve clarity, without changing regulatory intent. These are set out in Appendix A.

2. ACTION BY THE DGP-WG

2.1 The DGP-WG is invited to:

- a) consider and accept the proposed amendment to the Supplement, contained in Appendix B; and
- b) provide comment on whether there should be an explanatory note to Part S-7;5.6.1, regarding the review of dangerous goods training courses by States, where the Operator is not of that State; and
- c) consider and accept the minor changes to the text of the Technical Instructions at Part 1;4.1 as set out in Appendix A.

APPENDIX A

PROPOSED AMENDMENT TO PART 1 OF THE TECHNICAL INSTRUCTIONS

Part 1

GENERAL

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Chapter 4

TRAINING

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4.1 ESTABLISHMENT OF DANGEROUS GOODS TRAINING PROGRAMMES

4.1.1 Establishment and maintenance

4.1.1.1 Initial and recurrent dangerous goods training programmes must be established and maintained by or on behalf of:

- a) shippers of dangerous goods, including packers and persons or organizations undertaking the responsibilities of the shipper;
- b) operators;
- c) ground handling agencies which perform, on behalf of the operator, the act of accepting, handling, loading, unloading, transferring or other processing of cargo or mail;
- d) ground handling agencies located at an airport which perform, on behalf of the operator, the act of processing passengers;
- e) agencies, not located at an airport, which perform, on behalf of the operator, the act of checking in passengers;
- f) freight forwarders;
- g) agencies engaged in the security screening of passengers and crew and their baggage and/or cargo or mail; and
- h) designated postal operators.

4.1.2 Review and approval

4.1.2.1 Dangerous goods training programmes required by 4.1.1.1 b) must be subjected to review and approval by the appropriate authority of the State of the Operator.

4.1.2.2 Dangerous goods training programmes required by 4.1.1.1 h) must be subjected to review and approval by the civil aviation authority of the State where the mail was accepted by the designated postal operator.

4.1.2.3 Dangerous goods training programmes required by other than 4.1.1.1 b) and h) should be subjected to review and approval as determined by the appropriate national authority of the State of Origin.

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APPENDIX B

PROPOSED AMENDMENT TO PART S-7
OF THE SUPPLEMENT TO THE TECHNICAL INSTRUCTIONS

Part S-7

STATE'S RESPONSIBILITIES
WITH RESPECT TO OPERATORS

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Chapter 5

INSPECTIONS

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5.6 TRAINING PROGRAMMES

5.6.1 The Technical Instructions require that the operator's training programmes for all staff be approved [by the State of the Operator](#). The inspection is to confirm that training meets the requirements of the Technical Instructions.

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