



**WORKING PAPER**

**DANGEROUS GOODS PANEL (DGP)  
WORKING GROUP MEETING (DGP-WG/21)**

**Virtual Meeting, 24 to 28 May 2021**

**Agenda Item 4: Clarifying State oversight responsibilities in Annex 18 (Ref: Job Card DGP.005.02)**

**JOINT FORM FOR EXEMPTIONS**

(Presented by T. Muller and P. Tatin)

**SUMMARY**

The transport of dangerous goods which are normally forbidden for air transport is becoming more and more common. To be able to transport these dangerous goods, an exemption is required. To facilitate the complex exemption process of application, analysis, evaluation and granting a joint form for exemptions has been developed in Europe.

Action by the DGP-WG is in paragraph 2.

**1. INTRODUCTION**

1.1 Some dangerous goods are identified as being forbidden for air transport in Part 3; Table 3-1. To be able to transport these dangerous goods, an exemption is required. Part 1;1.1.3 states:

1.1.3 In instances:

- a) of extreme urgency; or
- b) when other forms of transport are inappropriate; or
- c) when full compliance with the prescribed requirements is contrary to public interest,

the States concerned may grant an exemption from the provisions of the Instructions provided that in such instances every effort is made to achieve an overall level of safety in transport which is at least equivalent to the level of safety provided for in these Instructions.

1.2 For the purpose of exemptions, “States concerned” are the States of Origin, Operator, Transit, Overflight and Destination. The application process for an exemption is therefore a process where several States are involved. Most States have their own proper application process, which might result in different procedures and conditions related to:

- a) documentation to be provided;

- b) information on the shipment, the applicant and the operator;
- c) transport and packing conditions; and
- d) qualifications of the shipper and the applicant.

Having to comply with different procedures and conditions in different States for a singular transport of dangerous goods requiring an exemption could be confusing and complex for the applicant.

1.3 To facilitate the application process for an exemption within Europe, several States decided to develop a joint application form, including similar procedures and conditions. As such an applicant can use the same form to apply for an exemption for a singular transport of dangerous goods in several States.

1.4 Introducing similar procedures and conditions has also resulted for the States concerned in a facilitation of the analysis and evaluation of applications for an exemption: applications are more detailed, complete and harmonized and the applications are processed more quickly.

1.5 The joint exemption form is provided in the appendix to this working paper. More explanation on the origin, evolution and implementation of the harmonized application process will be given in a presentation.

## 2. ACTION BY THE DGP-WG

2.1 The DGP-WG is invited to:

- a) provide feedback on the content of the joint exemption form as presented in the appendix to this working paper; and
- b) request the DGP Working Group on the Supplement to consider this material for inclusion into the Supplement to the Technical Instructions taking into account the feedback provided by DGP-WG/21.

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**APPENDIX**  
**JOINT FORM FOR EXEMPTIONS**



**TRANSPORT BY AIR OF DANGEROUS GOODS  
WHICH ARE FORBIDDEN UNDER NORMAL CIRCUMSTANCES**

Exemption ref.

granted by

in accordance with ICAO Annex 18 and Technical Instructions  
for the safe transport of dangerous goods by air (Doc 9284) Part 1,1.1.3  
as State of

Origin                      Operator                      Transit                      Overflight                      Destination

**A/ Reason for requesting the exemption**                      (mark at least one of the following options)

**(a) extreme urgency**

humanitarian relief	environmental relief	pestilence	national or international security	saving of life (e.g. rescue)	limited availability at destination
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**(b) other forms of transport are inappropriate:**

Length of journey <sup>1</sup>	Infrastructure <sup>2</sup>	Security <sup>3</sup>	Routing <sup>4</sup>
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**(c) full compliance with the Technical Instructions is contrary to the public interest:**

medical applications	new technologies	enhancements in safety
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**(d) reason other than (a), (b), (c) above**

Explanation for (a), (b), (c) or (d) above:

**B/ Description of measures aimed at achieving an overall level of safety in transport which is at least equivalent to the level of safety provided for in the ICAO Technical Instructions**

B1/ General measures: see Appendix 1

B2/ Additional measures (if any) presented by the applicant <sup>5</sup>:

<sup>1</sup> for example: transport by other forms may result in an unrealistic journey time and could affect the viability of the dangerous goods

<sup>2</sup> for example: the availability of other forms of transport may be limited

<sup>3</sup> for example: the comprehensive security provisions of the air mode may reduce the possibility of unlawful interference (theft, etc.)

<sup>4</sup> for example: transport by air may result in a reduced risk of exposure of the public to the dangerous goods in the event of an incident or accident. The risk of piracy may also be significantly reduced

<sup>5</sup> for example : no dangerous goods carried on board other than those subject to the present exemption

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**C/ Flight**

Flight date: (dd/mm/yyyy)	Flight No:
Aircraft type:	Aircraft registration: (+ subsequent if any)
Departure airport: (Name and ICAO code)	Destination airport: (Name and ICAO code)
Airport(s) of transit: (Name and ICAO code)	
Flight plan route over national territory "estimated":	

**D/ Air operator**

Name:	AOC No:
Address:	Tel: E-mail:
Name of the contact: (if different from the applicant) Tel:	
I confirm that the air operator <input type="checkbox"/> has a valid specific approval to transport dangerous goods recorded within the AOC Operations Specifications (OPS SPECS); <input type="checkbox"/> uses and complies with the valid edition of the following dangerous goods standards: ICAO Technical Instructions (or IATA Dangerous Goods Regulations) + ICAO Technical Instructions Supplement.	

**E/ Consignee / Shipper**

(in case of several shippers/consignees, identify each of them with dedicated information in duplicated tables)

**Consignee:**

Name:	
Address:	Tel: E-mail:

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**Shipper:**

Name:	
Address:	Tel: E-mail:
Name of the person signing the dangerous goods transport document: (shipper's declaration)	
<p>I confirm that          the person signing the dangerous goods transport document (shipper's declaration) holds a valid and appropriate dangerous goods training qualification and is in a position to verify that all requirements are met;          the shipper uses and complies with the valid edition of the following dangerous goods standards:          ICAO Technical Instructions (or IATA Dangerous Goods Regulations) + ICAO Technical Instructions Supplement.</p>	

**F/ Identification of dangerous goods requiring exemption**

UN No	Proper shipping name	Class/ Division/ Compatibility Group	Subsid. hazard	Packing group <small>(if applicable)</small>	Number of packages	Net quantity per package (Kg or L)	Gross quantity per package (Kg or L)	Net explosive quantity per package (Kg)	Packing inst.	Packaging test certificate reference	Classification certificate reference	SDS reference

Total net explosive quantity (kg):

**G/ Identification of dangerous goods to be carried (if any) other than those requiring exemption**

UN No	Proper shipping name	Class/ Division/ Compatibility Group	Subsid. hazard	Packing group <small>(if applicable)</small>	Number of packages	Net quantity per package (Kg or L)	Gross quantity per package (Kg or L)	Net explosive quantity per package (Kg)	Packing inst.

Note : any approvals or authorizations that may be required for the dangerous goods identified in this table are not covered by the present exemption.

Total net explosive quantity (kg):

**H/ Description of the method for separating packages containing explosives with different compatibility groups (if applicable)**

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**I/ Identification of the person completing this application**

Personnel of the air operator:  
Yes                  No

Name:	Tel:
Title:	E-mail:
Company: (if not the air operator)	Address: (if not the air operator)
Billing address: (if not the same as above)	
I declare that to the best of my knowledge the particulars entered on this application are accurate; I hold a valid and appropriate dangerous goods training qualification and I am in a position to verify that all requirements are met; I use and comply with the valid edition of the following dangerous goods standards: ICAO Technical Instructions (or IATA Dangerous Goods Regulations) + ICAO Technical Instructions Supplement; all the documents required under Appendix II accompany this application; the conditions set in this exemption will be fully complied with.	
Date (dd/mm/yyyy):	Signature:

**J/ Authority:**

Name:
Title:
Date (dd/mm/yyyy):
Signature:

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**APPENDIX I**

(see paragraph B1 of the application form)

- 1- This exemption is valid only to the extent applicable to the legal competence of the issuing State, i.e. the State of Origin, Operator, Transit, Overflight and/or Destination.
- 2- This exemption is neither a decision for diplomatic clearance, traffic rights, transport of munitions of war, nor acceptance from aerodrome operators.
- 3- The dangerous goods shall be carried in accordance with ICAO Technical Instructions and all conditions set in the exemption.  
Note: 'Technical Instructions' means the latest effective edition of the 'Technical instructions for the safe transport of dangerous goods by air' (Doc 9284), including the supplement and any addenda or corrigenda, approved and published by the International Civil Aviation Organisation.
- 4- The air operator must have conducted a specific risk assessment in accordance with ICAO Annex 6 Chapter 15.
- 5- Transport is allowed in cargo aircraft only (CAO). No person shall be carried onboard other than a crew member, an operator's employee in an official capacity, an authorized representative of an appropriate national authority or a person accompanying a consignment or other cargo (as defined in the Technical Instructions).
- 6- In the case of the transport of explosives, explosives of different compatibility groups must be separated in accordance with ICAO Technical Instructions Supplement and the method of separation must be as approved by the national authorities concerned. See paragraph H of the application form.
- 7- Prior to the flight, in addition to observing any aerodrome requirements stated within the Aeronautical Information Publication, the air operator must comply with aerodrome operator's safety and security instructions regarding the storage, handling, loading or unloading of the dangerous goods, refuelling and parking of the aircraft. Regardless, the following minimum conditions apply:
  - a) no refuelling during loading/unloading;
  - b) no loading/unloading on the approach of, or during a thunderstorm;
  - c) compliance with safety distances from infrastructures with personnel and passengers and from other aircraft as defined by the aerodrome operator unless otherwise specified by the authority issuing the exemption;
  - d) no reduction to the rescue and firefighting capacities of the planned aerodromes (other than alternate aerodromes).
- 8- The operational flight plan (including any amendments to the flight plan that become necessary in the course of the flight) must avoid densely populated areas as far as practicable, whilst respecting the instructions of air traffic control.
- 9- In the event of an unscheduled landing, the pilot in command of the aircraft shall immediately inform the aerodrome operator of the nature and quantity of all dangerous goods carried as cargo on board the aircraft.

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- 10- In the event of an in-flight emergency where the situation does not permit the pilot in command to inform the ATS unit of all dangerous goods carried as cargo on board the aircraft, in accordance with ICAO Technical Instructions Part 7 Chapter 4 § 4.3:
  - a) the pilot in command must:
    - i- notify air traffic control that dangerous goods are being carried under an exemption; and
    - ii- provide air traffic control the telephone number of a person of the ground staff of the air operator that may be called by emergency services and authorities to obtain details of the dangerous goods on board.
  - b) the contact telephone number must be recorded:
    - i- within box 18 of the aircraft flight plan; and
    - ii- on the written information to the pilot in command.
- 11- The packaging of explosives must be the one specified in the classification document issued by the competent authority.
- 12- A copy of this exemption and a copy of any Packing Instruction which is published in ICAO Technical Instructions Supplement must be attached to the dangerous goods transport document (shipper's declaration).
- 13- A copy of this exemption must be provided by the air operator to the aerodrome operators of origin, transit (if applicable) and destination.
- 14- This exemption is valid for a single flight on the scheduled flight date specified in paragraph C of the present exemption. If the flight date should change:
  - a) within 30 days from the scheduled flight date, the air operator must inform as soon as possible and before the flight is performed all the parties concerned (authorities, aerodromes, etc.) of the new effective flight date; or
  - b) more than 30 days from the scheduled flight date, an amendment of this exemption or a new exemption must be requested as soon as possible and at least 10 days before the new effective flight date.
- 15- Additional requirements (if any) set by the issuing authority

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**APPENDIX II**

<b>ITEM N°</b>	<b>DOCUMENTS TO BE PROVIDED BY THE APPLICANT TO ALL CONCERNED EASA MEMBER STATES (ORIGIN, OPERATOR, TRANSIT, OVERFLIGHT AND/OR DESTINATION)</b>
1	the application form (to be submitted in electronic pdf format)
2	<i>in case the operator appoints a representative:</i> a letter from the air operator delegating authority to this representative to make the application on their behalf and which attests that this representative is qualified to make the application
3 (*)	a copy of the - air operator certificate (AOC), - operations specifications (OPS SPEC) attached to the AOC, demonstrating that the air operator is authorized to carry dangerous goods, at their latest revision.
4 (*)	a copy of the exemption issued by the competent authority of the State of the Operator
5 (**)	a copy of the exemption issued by the competent authority of the State of Origin
6	a copy of the dangerous goods transport document (shipper's declaration) which includes an emergency phone number which will be available 24 hours a day, 7 days a week, from which to obtain details of emergency response measures appropriate to the consignment
7	for each Class 1 dangerous goods requiring the exemption: a copy of the classification document issued by the competent authority of a Contracting Party to the European Agreement Concerning the International Carriage of Dangerous Goods by Road (ADR) (or relevant authority depending on national laws)
8	a copy of the safety data sheet (SDS) for substances, mixtures and aerosols requiring the exemption a copy of the safety data sheet (SDS) for explosive articles requiring the exemption, if available
9	a copy of the packaging test certificates for articles requiring the exemption
10	a copy of the dangerous goods training record (e.g. ICAO category 1 of personnel/staff) of the person signing the dangerous goods transport document (shipper's declaration) valid at the flight date + one month
11	a copy of the dangerous goods training record (e.g. ICAO category 6 of personnel/staff) of the person that completed and signed the application form valid at the flight date + one month

(\*): not applicable for the State of Operator

(\*\*): not applicable for the State of Origin