



WORKING PAPER

**DANGEROUS GOODS PANEL (DGP)
MEETING OF THE WORKING GROUP OF THE WHOLE**

Beijing, China, 25 October to 3 November 2006

Agenda Item 6: Discussion of miscellaneous dangerous goods issues

VARIATIONS NOTIFIED BY STATES

(Presented by the Secretary)

SUMMARY

This paper discusses the submission of State variations and the suggestion that some States have not filed them. It proposes a method of facilitating submission of variations and their dissemination.

Action by the DGP-WG is in paragraph 2.

1. INTRODUCTION

1.1 In Attachment 3, Chapter 1 of the Technical Instructions, the following is stated:

1.1 Paragraph 2.2.1 of Annex 18 provides that Contracting States shall take the necessary measures to achieve compliance with the detailed provisions of these Technical Instructions. However, where a Contracting State does adopt different provisions from those specified in these Technical Instructions, 2.5 of Annex 18 requires that ICAO be notified promptly of such State provisions for publication in the Technical Instructions.

1.2 Those different provisions which were notified to ICAO by States, prior to 14 July 2006, appear in Table A-1. The variations notified by States, unless the context makes it otherwise apparent, apply as follows:

- a) where such variations result in more restrictive provisions than those contained in these Instructions, they apply to the transport of dangerous goods by air:
 - 1) to, from or through all territory subject to the sovereignty of the notifying State by all operators; and
 - 2) outside the territory of the notifying State to all operators for whom the notifying State is the State of the Operator;

- b) where such variations result in less restrictive provisions than those contained in these Instructions, the variations are listed for information only and may only be applied within the territory of the notifying State by operators for whom the notifying State is the State of the Operator.

1.2 At IAEA meetings to discuss denial of shipments of radioactive material, it has been suggested that some States have not filed variations despite the obligation imposed on them as per paragraph 2.5.1 of Annex 18. A similar conclusion has been derived from the early results of the ICAO Universal Safety Oversight Programme (USOAP).

1.3 As the first cycle of USOAP continues, it can be expected that States will be prompted to submit variations. It is suggested one method to facilitate submission and dissemination of such variations is to develop a process to allow them to be placed on the dangerous goods public website. It should be noted that addenda to the Technical Instructions containing variations submitted after the publication of the document will be published in the usual manner.

2. ACTION BY THE DGP-WG

2.1 The DGP-WG is invited to consider the desirability of placing State variations on the public website.

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