



WORKING PAPER

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

Auckland, 4 to 8 May 2009

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 2011/2012 Edition

2.1: Part 1 — General

DEFINITION OF “STATE OF ORIGIN”

(Presented by D. Brennan)

SUMMARY

This working paper provides comment on DGP-WG/09-WP/20 and offers some additional consideration for the DGP-WG on the definition of State of Origin.

Action by the DGP-WG is in paragraph 2.

1. INTRODUCTION

1.1 Working Paper DGP-WG/09-WP/20 submitted by the panel member nominated by the United Kingdom has identified that there appears to be some difference in understanding of the application of “State of Origin” by some States and how then that translates in the issue of approvals.

1.2 The author of this paper supports the view put forward in DGP-WG/09-WP/20 that the “State of Origin” for dangerous goods subject to an approval issued by an appropriate national authority can only be the State in which the consignment originates and that any subsequent shipment of those dangerous goods, assuming an approval is still required, would require an approval from the new “State of Origin”.

1.3 However, in reading DGP-WG/09-WP/20 and then considering the wording of the definition of State of Origin there appears to be a number of issues associated with the use of the word “cargo” as it appears in the definition. “Cargo”, as defined specifically excludes “Stores”. This raises the question as to what would be applied where an operator applies for an A1 approval to ship chemical oxygen generators, where the oxygen generators are not cargo, rather they meet the definition of stores.

1.4 Second, approvals are for the transport of dangerous goods, but cargo by definition includes both dangerous goods and non-dangerous goods. “Cargo” then would appear to be the wrong word in the wrong place.

1.5 There is though a defined term that in the context of the Technical Instructions has quite a specific meaning that addresses both just dangerous goods and also is quite specific on the timing or duration and that is "Consignment", which is defined as.

Consignment. One or more packages of dangerous goods accepted by an operator from one shipper at one time and at one address, received for in one lot and moving to one consignee at one destination address.

1.6 Replacing the word “cargo” by “consignment” in the definition of State of Origin would therefore appear to solve some of the issues raised in DGP-WG/09-WP/20.

2. ACTION BY THE DGP-WG

2.1 The DGP-WG is invited to revise the definition of “State of Origin” in Part 1;3.1 as follows:

| **State of Origin.** The State in the territory of which the ~~cargo~~ consignment was first loaded on an aircraft.

— END —