



WORKING PAPER

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

Rio de Janeiro, Brazil, 20 to 24 October 2014

Agenda Item 1: Development of proposals, if necessary, for amendments to Annex 18 — *The Safe Transport of Dangerous Goods by Air*

**PROVIDE MORE PROMINENCE TO “REPORTING” DANGEROUS GOODS ACCIDENTS
AND INCIDENTS**

(Presented by H. Al Muhairi)

SUMMARY

This working paper proposes amending Annex 18 in order to provide more prominence to “reporting” dangerous goods accidents and incidents.

The current Chapter 12 in Annex 18 appears to require States to establish procedures to investigate dangerous goods accidents and incidents, but doesn't actually require States to establish procedures for such accidents and incidents to be reported, though “reporting” is quite essential for being the initial source of information for dangerous goods accidents and incidents investigations.

Action by the DGP-WG: The DGP-WG is invited to provide their views on the amendments proposed in the appendix to this working paper.

1. INTRODUCTION

1.1 As per Chapter 12 of Annex 18:

12.1 With the aim of preventing the recurrence of dangerous goods accidents and incidents, each Contracting State shall establish procedures for investigating and compiling information concerning such accidents and incidents which occur in its territory and which involve the transport of dangerous goods originating in or destined for another State. Reports on such accidents and incidents shall be made in accordance with the detailed provisions of the Technical Instructions.

12.2 **Recommendation.**— *With the aim of preventing the recurrence of dangerous goods accidents and incidents, each Contracting State should establish*

procedures for investigating and compiling information concerning such accidents and incidents which occur in its territory other than those described in 12.1. Reports on such accidents and incidents should be made in accordance with the detailed provisions of the Technical Instructions.

12.3 With the aim of preventing the recurrence of instances of undeclared or misdeclared dangerous goods in cargo, each Contracting State shall establish procedures for investigating and compiling information concerning such occurrences which occur in its territory and which involve the transport of dangerous goods originating in or destined for another State. Reports on such instances shall be made in accordance with the detailed provisions of the Technical Instructions.

12.4 **Recommendation.**— *With the aim of preventing the recurrence of instances of undeclared or misdeclared dangerous goods in cargo, each Contracting State should establish procedures for investigating and compiling information concerning such occurrences which occur in its territory other than those described in 12.3. Reports on such instances should be made in accordance with the detailed provisions of the Technical Instructions.*

1.2 As per Part 7;4.4 of the Technical Instructions:

4.4 REPORTING OF DANGEROUS GOODS ACCIDENTS AND INCIDENTS

An operator must report dangerous goods accidents and incidents to the appropriate authorities of the State of the Operator and the State in which the accident or incident occurred in accordance with the reporting requirements of those appropriate authorities.

Note.— This includes incidents involving dangerous goods that are not subject to all or part of these Instructions through the application of an exception or of a special provision (e.g. an incident involving the short circuiting of a dry cell battery that is required to meet short-circuit prevention conditions in a special provision of 3;3).

1.3 As per Part 7; 4.5 of the Technical Instructions:

4.5 REPORTING OF UNDECLARED OR MISDECLARED DANGEROUS GOODS

An operator must report any occasion when undeclared or misdeclared dangerous goods are discovered in cargo or mail. Such a report must be made to the appropriate authorities of the State of the Operator and the State in which this occurred. An operator must also report any occasion when dangerous goods not permitted under 8;1.1.1 are discovered, either in the baggage or on the person, of passengers or crew members. Such a report must be made to the appropriate authority of the State in which this occurred.

1.4 Annex 18 appears to require States to establish procedures to investigate dangerous goods accidents and incidents, but doesn't actually require States to establish procedures for such accidents and incidents to be reported. "Reporting" is quite essential for being the initial source of information for dangerous goods accidents and incidents investigations; it is therefore proposed that an amendment to Annex 18 be considered. Three optional amendments to address this are proposed in the appendix to this working paper.

2. ACTION BY THE DGP-WG

2.1 The DGP-WG is invited to provide their views on the three options for amendment to Annex 18 proposed in the appendix to this working paper and, if the working group agrees to amend Annex 18, to approve either Option 1, 2 or 3.

2.2 If the DGP agrees on option 1, 2 or 3, the table of contents, the foreword and 8.1; b), Note 1 of Annex 18 must be revised accordingly.

APPENDIX

PROPOSED AMENDMENT TO ANNEX 18, CHAPTER 12

Option 1:

**CHAPTER 12. DANGEROUS GOODS ACCIDENT
AND INCIDENT REPORTING AND INVESTIGATION**

12.1 Each Contracting State shall mandate in its established procedures that an operator must report dangerous goods accidents and incidents to the appropriate authorities of the State of the Operator and the State in which the accident or incident occurred in accordance with the reporting requirements of those appropriate authorities. Reports on such accidents and incidents shall be made in accordance with the detailed provisions of the Technical Instructions.

12.2 Each Contracting State shall mandate in its established procedures that an operator must report any occasion when undeclared or misdeclared dangerous goods are discovered in cargo. Such a report must be made to the appropriate authorities of the State of the Operator and the State in which this occurred. An operator must also report any occasion when dangerous goods not permitted under 8:1.1.1 of the Technical Instructions are discovered in passengers' baggage. Such a report must be made to the appropriate authority of the State in which this occurred. Reports on such instances shall be made in accordance with the detailed provisions of the Technical Instructions.

12.3 With the aim of preventing the recurrence of dangerous goods accidents and incidents, each Contracting State shall establish procedures for investigating and compiling information ~~concerning~~ of such accidents and incidents which occur in its territory and which involve the transport of dangerous goods originating in or destined for another State. ~~Reports on such accidents and incidents shall be made in accordance with the detailed provisions of the Technical Instructions.~~

12.24 Recommendation.— *With the aim of preventing the recurrence of dangerous goods accidents and incidents, each Contracting State should establish procedures for investigating and compiling information ~~concerning~~ of such accidents and incidents which occur in its territory other than those described in 12.1. ~~Reports on such accidents and incidents should be made in accordance with the detailed provisions of the Technical Instructions.~~*

12.35 With the aim of preventing the recurrence of instances of undeclared or misdeclared dangerous goods in cargo, each Contracting State shall establish procedures for investigating and compiling information ~~concerning~~ of such ~~occurrences~~ instances which occur in its territory and which involve the transport of dangerous goods originating in or destined for another State. ~~Reports on such instances shall be made in accordance with the detailed provisions of the Technical Instructions.~~

12.46 Recommendation.— *With the aim of preventing the recurrence of instances of undeclared or misdeclared dangerous goods in cargo, each Contracting State should establish procedures for investigating and compiling information ~~concerning~~ of such ~~occurrences~~ instances which occur in its territory other than those described in 12.3. ~~Reports on such instances should be made in accordance with the detailed provisions of the Technical Instructions.~~*

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Option 2:

**CHAPTER 12. DANGEROUS GOODS ACCIDENT
AND INCIDENT REPORTING**

12.1 Each Contracting State shall mandate in its established procedures that an operator must report dangerous goods accidents and incidents to the appropriate authorities of the State of the Operator and the State in which the accident or incident occurred in accordance with the reporting requirements of those appropriate authorities. Reports on such accidents and incidents shall be made in accordance with the detailed provisions of the Technical Instructions.

12.2 Each Contracting State shall mandate in its established procedures that an operator must report any occasion when undeclared or misdeclared dangerous goods are discovered in cargo. Such a report must be made to the appropriate authorities of the State of the Operator and the State in which this occurred. An operator must also report any occasion when dangerous goods not permitted under 8.1.1.1 of the Technical Instructions are discovered in passengers' baggage. Such a report must be made to the appropriate authority of the State in which this occurred. Reports on such instances shall be made in accordance with the detailed provisions of the Technical Instructions.

**CHAPTER 13. DANGEROUS GOODS ACCIDENT
AND INCIDENT INVESTIGATION**

12.3.1 With the aim of preventing the recurrence of dangerous goods accidents and incidents, each Contracting State shall establish procedures for investigating and compiling information ~~concerning of~~ such accidents and incidents which occur in its territory and which involve the transport of dangerous goods originating in or destined for another State. ~~Reports on such accidents and incidents shall be made in accordance with the detailed provisions of the Technical Instructions.~~

12.3.2 **Recommendation.**— *With the aim of preventing the recurrence of dangerous goods accidents and incidents, each Contracting State should establish procedures for investigating and compiling information ~~concerning of~~ such accidents and incidents which occur in its territory other than those described in 12.1. ~~Reports on such accidents and incidents should be made in accordance with the detailed provisions of the Technical Instructions.~~*

12.3.3 With the aim of preventing the recurrence of instances of undeclared or misdeclared dangerous goods in cargo, each Contracting State shall establish procedures for investigating and compiling information ~~concerning of~~ such ~~occurrences~~ instances which occur in its territory and which involve the transport of dangerous goods originating in or destined for another State. ~~Reports on such instances shall be made in accordance with the detailed provisions of the Technical Instructions.~~

12.3.4 **Recommendation.**— *With the aim of preventing the recurrence of instances of undeclared or misdeclared dangerous goods in cargo, each Contracting State should establish procedures for investigating and compiling information ~~concerning of~~ such ~~occurrences~~ instances which occur in its territory other than those described in 12.3. ~~Reports on such instances should be made in accordance with the detailed provisions of the Technical Instructions.~~*

CHAPTER 13.4. DANGEROUS GOODS SECURITY PROVISIONS

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Option 3:**CHAPTER 12. DANGEROUS GOODS ACCIDENT
AND INCIDENT REPORTING AND INVESTIGATION**

12.1 With the aim of preventing the recurrence of dangerous goods accidents and incidents, each Contracting State shall establish procedures for the:

- a) reporting;
- b) investigating; and
- c) compiling ation of information

~~concerning of~~ such accidents and incidents which occur in its territory and which involve the transport of dangerous goods originating in or destined for another State. Reports on such accidents and incidents shall be made in accordance with the detailed provisions of the Technical Instructions.

12.2 **Recommendation.**— *With the aim of preventing the recurrence of dangerous goods accidents and incidents, each Contracting State should establish procedures for the:*

- a) reporting;
- b) investigating; and
- c) compiling ation of information

~~concerning of~~ such accidents and incidents which occur in its territory other than those described in 12.1. Reports on such accidents and incidents should be made in accordance with the detailed provisions of the Technical Instructions.

12.3 With the aim of preventing the recurrence of instances of undeclared or misdeclared dangerous goods in cargo, each Contracting State shall establish procedures for the:

- a) reporting;
- b) investigating; and
- c) compiling ation of information

~~concerning of~~ such ~~occurrences~~ instances which occur in its territory and which involve the transport of dangerous goods originating in or destined for another State. Reports on such instances shall be made in accordance with the detailed provisions of the Technical Instructions.

12.4 **Recommendation.**— *With the aim of preventing the recurrence of instances of undeclared or misdeclared dangerous goods in cargo, each Contracting State should establish procedures for the-:*

- a) reporting;

b) investigation; and

c) compilation of information

~~concerning of such occurrences~~ instances which occur in its territory other than those described in 12.3. Reports on such instances should be made in accordance with the detailed provisions of the Technical Instructions.

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