

1990 No. 2531

CIVIL AVIATION

**The Air Navigation (Dangerous Goods) (Third
Amendment) Regulations 1990**

Made - - - - 11th December 1990

Coming into force 1st January 1991

The Secretary of State for Transport, in exercise of his powers under article 47(1) of the Air Navigation Order 1989(a) and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Air Navigation (Dangerous Goods) (Third Amendment) Regulations 1990, and shall come into force on 1st January 1991.

Amendment of the Air Navigation (Dangerous Goods) Regulations 1985

2. The Air Navigation (Dangerous Goods) Regulations 1985(b) shall be amended as follows—

(1) In regulation 3(1), there shall be substituted for the sub-paragraph commencing with the words “consignment” the following—

“ “consignment” means one or more packages of dangerous goods accepted by an operator from one shipper at one time and at one address receipted for in one lot and moving to one consignee at one destination address;”.

(2) In regulation 3(1), in the definition of “Technical Instructions” for “1989–1990” there shall be substituted “1991–1992”.

(3) For regulation 4(3) there shall be substituted the following—

“(3) These Regulations shall not apply to dangerous goods of a type specified in Chapters 1.1.2(a), 1.1.2(b) and 2.3 of Part 1 and Chapter 1.2 of Part 9 of the Technical Instructions which are carried, loaded or suspended in accordance with the provisions of the aforesaid Chapters 1.1.2(a), 1.1.2(b) and 2.3 of Part 1 and Chapter 1.2 of Part 9 and which are—

- (a) articles and equipment which are required to be carried on an aircraft by or under the Air Navigation Order 1989 or are otherwise intended for use on an aircraft for the purpose of the good order of the flight in accordance with normal practice whether or not, in either case, such articles and equipment are required to be carried or intended to be used on that particular flight;
- (b) solely intended for the use of passengers or crew members or for sale to the passengers or crew members of the aircraft during the flight in question;

(a) S.I. 1989/2004, to which there are amendments not relevant to these Regulations.
(b) S.I. 1985/1939, amended by S.I. 1986/2129 and 1988/2133.

(c) to provide during flight veterinary aid or a humane killer for an animal; or

(d) to provide during flight medical aid to a person:

Provided that goods specified in sub-paragraphs (c) and (d) shall only be carried if—

(i) they are or may be required for use during the flight;

(ii) they are or may be required for use during a subsequent flight by the same aircraft and it will not be practicable to load the goods on the aircraft in the intervening period before the commencement of that subsequent flight; or

(iii) they were used or might have been required for use during a previous flight by the same aircraft and it has not been practicable to unload them from the aircraft since that flight.”.

(4) In regulation 4(4), for “and 8(2)” there shall be substituted “, 8(2) and 9(3)”.

(5) After regulation 5(2) shall be added the following—

“5.

(2A) The shipper of dangerous goods shall furnish the operator of the aircraft with such other documents in respect of dangerous goods as are required by Part 3 and Chapter 4.5 of Part 4 of the Technical Instructions.”.

(6) In regulation 5(3), after the words “dangerous goods transport document” there shall be inserted the words “or other document in respect of dangerous goods”.

(7) In regulation 6(b), after the words “packed in accordance with” there shall be inserted “Chapter 2.6 of Part 1 and”.

(8) In regulation 7(2)(a), the word “thereon” shall be deleted.

(9) In regulation 7(2)(b), for the words “that document” there shall be substituted the words “that list”.

(10) For regulation 7(2)(c), there shall be substituted the following—

“The operator of an aircraft shall preserve for not less than six months a record of any acceptance check list completed in accordance with this regulation. The record shall be in a legible or a non-legible form so long as the recording is capable of being reproduced in a legible form.”.

(11) In regulation 7(6) for the words “are less than the values specified” there shall be substituted the words “are not more than the values specified”.

(12) In regulation 9(2) after the words “either as checked baggage or accompanying a passenger” there shall be inserted the words “by the provision of information with each passenger ticket which shall be sufficient in prominence for this purpose and”.

(13) In regulation 10(b) after the word “documents” there shall be inserted the words “or other document”.

(14) In regulation 10(c), for the words “the acceptance check list” there shall be substituted the words “the completed acceptance check list in a legible form”.

(15) In the heading to regulation 11, for the words “or forestry purposes” there shall be substituted the words “forestry or pollution control purposes”.

(16) In regulation 11, for the words “or forestry” there shall be substituted the words “forestry or pollution control”.

Signed by authority of the Secretary of State for Transport

11th December 1990

Brabazon of Tara
Minister of State,
Department of Transport

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Air Navigation (Dangerous Goods) Regulations 1985. The principal changes are:

(1) The definition of "consignment" is amended to reflect a change to Annex 18 to the Chicago Convention (regulation 2(1)).

(2) The definition of "Technical Instructions" now refers to the 1991-1992 English Language Edition, approved and published by decision of the Council of the International Civil Aviation Organisation (regulation 2(2)).

(3) There is excluded from the requirement to comply with the Technical Instructions dangerous goods for use in flight for the good Order of the flight (such as Cleaning Materials) to provide medical aid to a person or to provide veterinary aid or a humane killer for an animal (regulation 2(3)).

(4) The training requirements contained in the Technical Instructions apply to shippers of those types of dangerous goods which are otherwise excluded from the requirements of the Technical Instructions (regulation 2(4)).

(5) In certain circumstances, a document other than a dangerous goods transport document may be required to provide the necessary notification to the aircraft operator (regulation 2(5), (6) and (13)).

(6) Certain dangerous goods may be carried in limited quantities provided they comply with requirements in the Technical Instructions which are based on Chapter 15 of the UN recommendations for the transport of dangerous goods (regulation 2(7)).

(7) An acceptance check may be carried out using a computerised system which provides for a full and accurate check and records the results in a form which is capable of being reproduced in a legible form (regulation 2(8), (9), (10) and (14)).

(8) The maximum permissible radiation level resulting from the fixed contamination to any accessible surface and non-fixed contamination are the values specified in the Technical Instructions (regulation 2(11)).

(9) There must be provided with each passenger ticket information notifying passengers of the categories of dangerous goods which may not be taken on board an aircraft (regulation 2(12)).

(10) Aircraft flying in order to drop articles for the purpose of pollution control are largely excluded from the requirements of the Regulations (regulation 2 (15) and (16)).

The 1991/1992 English Language Edition of the Technical Instructions for the Safe Transport of Dangerous Goods by Air may be purchased from—

Freight Merchandising Services
c/o Vidap Freight Services Limited
Green Lane
Hounslow
Middlesex
TW4 6DD

or

IAL (International Aeradio Plc)
Aeradio House
Hayes Road
Southall
Middlesex
UB2 5NJ

or

CAA Printing and Publication Services
Greville House
37 Gratton Road
Cheltenham
Gloucestershire
GL50 2BN