



危险物品专家组 (DGP)

第二十七次会议

2019年9月16日至20日，蒙特利尔

议程项目 2: 管理航空特有的安全风险和查明异常情况

2.1: 如有必要，拟定对附件 18 —《危险物品的安全航空运输》的修订提案

2.2: 如有必要，拟定对《危险物品安全航空运输技术细则》(Doc 9284 号文件)的修订提案，以便纳入 2021 年—2022 年版

议程项目 8: 与其它专家组的协调

8.1: 飞行运行专家组 (FLTOSP)

修改“客机”的定义

(由 D. Brennan 提交)

摘要

本工作文件提议，修改附件 18 和《技术细则》中“客机”的定义。本工作文件还提出拟议案文，供飞行运行专家组 (FLTOSP) 审议，以纳入《空中航行服务程序》第 III 卷 —《航空器运行程序》(Doc 8168 号文件，PANS-OPS)。

危险物品专家组的行动：请危险物品专家组考虑本工作文件附录中提出的对附件 18 和《技术细则》中客机定义的拟议修改。

1. INTRODUCTION

1.1 A working paper was presented to the nineteenth working group meeting of the Dangerous Goods Panel (DGP-WG/19, Montréal, 1 to 5 April 2019) seeking discussion on the carriage of persons on an aircraft carrying cargo aircraft only dangerous goods without the aircraft being considered as a “passenger aircraft” (see paragraph 3.8.1.1 of the DGP-WG/19 report).

1.2 The working paper identified that there is an inconsistency between the provisions in the Technical Instructions and those set out in the United States Federal Aviation Regulations, Title 14,

¹ 仅提供了摘要和附录的翻译。

Part 121, specifically §121.583, “Carriage of persons without complying with the passenger-carrying provisions of this part”.

1.3 The working paper also identified that FAR §121.583 went further than just identifying the persons that could be carried on an aircraft carrying cargo aircraft only dangerous goods, the FAR text also set out very clear operational conditions that the operator was obliged to implement. It was believed that this text could be of use if adopted into the relevant ICAO publication.

1.4 At DGP-WG/19 there was support for further discussion, including with the secretary of the Flight Operations Panel (FLTOSP). Following DGP-WG/19 the author discussed the potential of including the operational conditions into an appropriate location into an ICAO publication with the Secretary of the FLTOSP, with the secretary suggesting that guidance could be proposed for inclusion into an appropriate location in the *Procedures for Air Navigation Services, Volume III —Aircraft Operating Procedures*. (Doc 8168, PANS-OPS).

1.5 This working paper proposes a revision to the definition of “passenger aircraft” as shown in Annex 18 and the Technical Instructions to bring in the flexibility of carrying persons accompanying a consignment or other cargo, including when travelling to or from accompanying a consignment or other cargo.

1.6 It is also proposed to add in allowance for other persons to be carried, subject to approval of the operator under conditions determined by the appropriate national authority. This has been included to permit the carriage of persons such as auditors that are not employed by the operator. This text is in square brackets for the panel to consider.

1.7 This working paper also includes draft text to be proposed to the FLTOSP for their consideration for inclusion into PANS-OPS, Volume III that brings in the operational requirements and controls when an operator permits such persons to be carried on a cargo aircraft.

2. ACTION BY THE DGP

2.1 The DGP is invited to consider the proposals set out in the appendices to this working paper.

2.2 For the draft text for PANS-OPS, Volume III, the panel is invited to review the text and to propose any revisions to the draft text to be submitted to the FLTOSP.

附录 A

附件 18 的拟议修订

国际标准和建议措施

第 1 章 定义

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客机 载运除以下人员之外的任何人员的航空器：

- a) 机组~~人~~成员~~；~~；
- b) ~~具有公务身份的~~运营人的雇员~~；~~；
- c) 国家~~主管~~有关当局授权的代表；~~或~~
- d) 托运~~运~~物或其他货物的押运人，包括在押运托运货物或其他货物之前或之后的出行期间；
[或
- ~~a) e) 运营人按照国家有关当局批准的条件批准的人员。]之外的任何人员的航空器。~~

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附录 B

《技术细则》的拟议修订

第 1 部分

概论

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第 3 章

一般说明

本章部分内容受国家差异条款 BE 1 的影响；见表 A-1

3.1 定义

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客机 载运除以下人员之外的任何人员的航空器：

- a) 机组成员；
- b) 具有官方身份的运营人的雇员；
- c) 国家有关当局授权的代表；
- d) 或托运货物或其他货物的押运人，包括在押运托运货物或其他货物之前或之后的出行期间；[或
- a) e) 运营人按照国家有关当局批准的条件批准的人员。]外的任何人员的航空器。

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第 7 部分

运营人的责任

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第 1 章

收运程序

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1.7 开展安全风险评估

1.7.1 从事商业航空运输作业的运营人应纳入一项危险物品运输安全风险评估过程，作为其经核准的安全管理系统的一部分，以符合附件 6 —《航空器的运行》和附件 19。这一安全风险评估应包括适当的信息，以便能够落实确保包括锂电池和电池芯货物在内的危险物品安全运输的安全措施。

1.7.2 打算在货机上载运行机组之外的获准人员的运营人必须对此类人员的载运进行一项安全风险评估。这包括按照《空中航行服务程序》第 III 卷 —《航空器运行程序》(Doc 8168 号文件, PANS-OPS) 的规定，为载运这些人员制定和实施政策和程序。

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APPENDIX C

DRAFT TEXT FOR CONSIDERATION BY THE FLTOPSP FOR PANS-OPS, VOL III

Carriage of Persons on an Aircraft Carrying “Cargo Aircraft Only” Dangerous Goods

Background

1. The *Technical Instructions for the Safe Transport of Dangerous Goods by Air* (Doc 9284) (Technical Instructions) set out the provisions by which substances and articles classified as dangerous goods can be carried as cargo on aircraft. The Technical Instructions differentiate between certain dangerous goods that are permitted as cargo on a “passenger aircraft” and those that due to the larger net quantity per package, or the inherent hazard are restricted to carriage on a “cargo aircraft”.

2. The Technical Instructions then includes definitions of “cargo aircraft” and “passenger aircraft” to identify on which aircraft the applicable dangerous goods can be carried. The definitions in the Technical Instructions are as follows:

Cargo aircraft. Any aircraft, other than a passenger aircraft, which is carrying goods or property.

Passenger aircraft. An aircraft that carries any person other than:

- a) a crew member;
- b) an operator’s employee;
- c) an authorized representative of an appropriate national authority;
- d) a person accompanying a consignment or other cargo, including when travelling before or after accompanying a consignment or other cargo; or
- e) a person approved by the operator in accordance with conditions approved by the appropriate national authority.

3. This means that “cargo aircraft only” dangerous goods can only be carried on an aircraft where the only persons [other than the operating crew] are those shown in the definition of a passenger aircraft.

4. The purpose of this guidance is to set out recommendations to operators that operate aircraft used only for the carriage of cargo, i.e. freighters, on what they should evaluate as part of their safety risk assessment to permit the carriage of persons that can be on a “cargo aircraft”.

Conditions Under Which Persons [Other Than Operating Flight Crew] May be Carried on a Cargo Aircraft

1. When considering the carriage of persons [additional to the operating crew] on an aircraft carrying “cargo aircraft only” (CAO) dangerous goods the operator [should] [must]:

- a) through the conduct of a safety risk assessment determine the potential for additional risk to be introduced into the operation due to carriage of persons other than operating crew.
- b) the safety risk assessment must consider the potential for negative effect of the presence of such personnel on the available measures in place for addressing the risks from such dangerous goods, such as fire protection and suppression systems and operational procedures that affect the occupants of the aircraft such as de-pressurization.
- c) the safety risk assessment must also consider potential risk to such personnel that may be different from the risk to the flight due to difference in training, emergency equipment, protective breathing or emergency evacuation capabilities.
- d) if the occupants of the cargo aircraft have access to the cargo hold containing dangerous goods, the risk assessment must also consider potential risk caused by such personnel.

2. Where the operator has determined that additional persons may be carried on an aircraft carrying CAO dangerous goods the operator [should] [must] ensure effective risk mitigation, to include at least the following:

- a) each person has unobstructed access from his seat to the flight deck or to a regular or emergency exit;
 - b) the pilot-in-command has a means of notifying each person when smoking is prohibited and when safety belts must be fastened; and
 - c) the aircraft has an approved seat with an approved safety belt for each person. The seat must be located so that the occupant is not in any position to interfere with the flight crewmembers performing their duties.
 - d) before each take-off, the operator shall ensure that all such persons have been orally briefed by the appropriate crewmember on:
 - (i) smoking;
 - (ii) the use of seat belts;
 - (iii) the location and operation of emergency exits;
 - (iv) the use of oxygen and emergency oxygen equipment; and
 - (v) for extended overwater operations, the location of life rafts, and the location and operation of life preservers including a demonstration of the method of donning and inflating a life preserver.
3. Each operator operating an aircraft carrying these persons must describe the procedures for the safe carriage of such persons into their operations manual and/or other appropriate manuals.