



WORKING PAPER

DANGEROUS GOODS PANEL (DGP)

TWENTY-NINTH MEETING

Montréal, 13 to 17 November 2023

**Agenda Item 7: Review of Annex 6 provisions having an impact on dangerous goods
(REC-A-DGS-2025)**

**PROPOSED AMENDMENTS TO ANNEX 6 PROVISIONS HAVING AN IMPACT ON
DANGEROUS GOODS**

(Presented by the Secretary)

SUMMARY

This working paper contains proposed amendments to provisions in Annex 6 that have an impact on dangerous goods identified by the DGP Working Group on Annex 18. DGP/29 is invited to review the amendment for onward submission to the Flight Operations Panel (FLTOSP).

Action by the DGP: The DGP is invited to:

- a) consider the amendments proposed in Appendices A and B this working paper; and
- b) recommend that they be forwarded to the Flight Operations Panel (FLTOSP) for its consideration; and
- c) recommend that Annex 6, Part IV, Chapter 14 be amended to align with amendments to Annex 6, Part I, Chapter 14 when it becomes applicable.

1. INTRODUCTION

1.1 The Dangerous Goods Working Group on Annex 18 (DGP-WG/Annex 18) identified inconsistencies between dangerous goods provisions in Annex 6 — *Operation of Aircraft* and the *Technical Instructions for the Safe Transport of Dangerous Goods by Air* (Doc 9284).

1.2 The provisions in Annex 6 are contained in Chapter 14 to Part I — *International Commercial Air Transport — Aeroplanes* and Chapter 12 to Part III — *International Operations — Helicopters* (Chapter 12). They are also included in proposed new Part IV — *International Operations* —

Remotely Piloted Aircraft Systems in Chapter 14. The provisions in Annex 6 were developed to make it clear that all operators are subject to dangerous goods regulations regardless of whether they hold a specific approval to transport dangerous goods as cargo. The provisions distinguish between responsibilities derived from the Technical Instructions for each type of operator. DGP-WG/Annex 18 concluded that the inconsistencies it identified are largely due to changes to the provisions in the Technical Instructions after the adoption of the Annex 6 provisions not being reflected in that Annex.

2. PROPOSAL

2.1 DGP-WG/Annex 18 recommends replacing the lists of responsibilities in Annex 6 with references to the applicable provisions in its proposed amendment to Annex 18 (see DGP/29-WP/4). It recommends referring to Annex 18 instead of the Technical Instructions because Annex 18 establishes the high-level requirements while referring to the detailed provisions in the Technical Instructions.

2.2 Removing the responsibilities from Annex 6 will eliminate redundancy and reduce the risk of additional inconsistencies being introduced between Annex 6 and the dangerous goods provisions in Annex 18 and the Technical Instructions. The amendment does not remove the distinction between operators with and those without specific approvals to transport dangerous goods as cargo. The original objective of clarifying that all operators are subject to dangerous goods regulations is therefore maintained.

2.3 There are some provisions specific to helicopters contained in Annex 6, Part III, Chapter 12 that may need to be retained in Annex 6 or moved to Annex 18. These are presented in square brackets in Appendix B to this working paper for the DGP's consideration.

3. ACTION PROPOSED

3.1 The DGP is invited to:

- a) consider to the amendment proposed in Appendices A and B to this working paper; and
- b) recommend that they be forwarded to the Flight Operations Panel (FLTOSP) for its consideration; and
- c) recommend that consequential amendments to Annex 6, Part IV, Chapter 14 be made to align with amendments to Annex 6, Part I, Chapter 14 when it becomes applicable.

APPENDIX A

PROPOSED AMENDMENT TO ANNEX 6, PART I

PART I — INTERNATIONAL COMMERCIAL AIR TRANSPORT — AEROPLANES

CHAPTER 14. DANGEROUS GOODS

14.1 STATE RESPONSIBILITIES

~~— Note 1. — Annex 18, Chapter 11, contains requirements for each Contracting State to establish oversight procedures for all entities (including packers, shippers, ground handling agents and operators) performing dangerous goods functions.~~

~~Note 21. — Operator responsibilities for the transport of dangerous goods are contained in Chapters 85, 9 and 10 of Annex 18. Part 7 of the Technical Instructions for the Safe Transport of Dangerous Goods by Air (Doc 9284) (Technical Instructions) contains the operator's responsibilities and requirements for incident and accident reporting.~~

~~Note 32. — The requirements pertaining to crew members or passengers carrying dangerous goods on aircraft are set forth contained in Part 8, Chapter 1, of the Technical Instructions Chapter 6 of Annex 18.~~

~~Note 43. — COMAT Operator material that meets the classification criteria is classified as dangerous goods in accordance with Part 2 of the Technical Instructions for dangerous goods are is considered cargo and must be transported in accordance with Part 1;2.2.2 or Part 1;2.2.3 of the Technical Instructions (e.g. aircraft parts such as chemical oxygen generators, fuel control units, fire extinguishers, oils, lubricants, cleaning products).~~

14.2 OPERATORS WITH NO SPECIFIC APPROVAL FOR THE TRANSPORT OF DANGEROUS GOODS AS CARGO

The State of the Operator shall ensure that operators with no specific approval to transport dangerous goods ~~have:~~ develop and implement dangerous goods training programmes and policies and procedures associated with the carriage of cargo, mail, passenger and crew baggage in accordance with the requirements in Annex 18, 5.2.1, 5.3 and 6.

- ~~a) — established a dangerous goods training programme that meets the requirements of Annex 18, the applicable requirements of the Technical Instructions, Part 1, Chapter 4, and the requirements of the State's regulations, as appropriate. Details of the dangerous goods training programme shall be included in the operator's operations manuals;~~
- ~~b) — established dangerous goods policies and procedures in its operations manual to meet, at a minimum, the requirements of Annex 18, the Technical Instructions and the State's regulations to allow operator personnel to:~~

- ~~1) identify and reject undeclared dangerous goods, including COMAT classified as dangerous goods; and~~
- ~~2) report to the appropriate authorities of the State of the Operator and the State in which it occurred any:
 - ~~i) occasions when undeclared dangerous goods are discovered in cargo or mail; and~~
 - ~~ii) dangerous goods accidents and incidents.~~~~

14.3 OPERATORS WITH A SPECIFIC APPROVAL FOR THE TRANSPORT OF DANGEROUS GOODS AS CARGO

The State of the Operator shall issue a specific approval for the transport of dangerous goods and ensure that the operator: develops and implements dangerous goods training programmes and policies and procedures associated with the carriage of cargo, mail, passenger and crew baggage in accordance with the requirements in Annex 18, Chapters 5 and 6.

- ~~a) establishes a dangerous goods training programme that meets the requirements in the Technical Instructions, Part 1, Chapter 4, Table 1-4, and the requirements of the State regulations, as appropriate. Details of the dangerous goods training programme shall be included in the operator's operations manuals;~~
- ~~b) establishes dangerous goods policies and procedures in its operations manual to meet, at a minimum, the requirements of Annex 18, the Technical Instructions and the State's regulations to enable operator personnel to:
 - ~~1) identify and reject undeclared or misdeclared dangerous goods, including COMAT classified as dangerous goods;~~
 - ~~2) report to the appropriate authorities of the State of the Operator and the State in which it occurred any:
 - ~~i) occasions when undeclared or misdeclared dangerous goods are discovered in cargo or mail; and~~
 - ~~ii) dangerous goods accidents and incidents;~~~~
 - ~~3) report to the appropriate authorities of the State of the Operator and the State of Origin any occasions when dangerous goods are discovered to have been carried;
 - ~~i) when not loaded, segregated, separated or secured in accordance with the Technical Instructions, Part 7, Chapter 2; and~~
 - ~~ii) without information having been provided to the pilot in command;~~~~
 - ~~4) accept, handle, store, transport, load and unload dangerous goods, including COMAT classified as dangerous goods as cargo on board an aircraft; and~~
 - ~~5) provide the pilot in command with accurate and legible written or printed information concerning dangerous goods that are to be carried as cargo.~~~~

Note.— *Article 35 of the Convention refers to certain classes of cargo restrictions.*

~~14.4 PROVISION OF INFORMATION~~

The operator shall ensure that all personnel, including third party personnel, involved in the acceptance, handling, loading and unloading of cargo are informed of the operator's specific approval and limitations with regard to the transport of dangerous goods.

~~14.5 DOMESTIC COMMERCIAL AIR TRANSPORT OPERATIONS~~

— **~~Recommendation.~~**— *The International Standards and Recommended Practices set forth in this chapter should be applied by all Contracting States also in the case of domestic commercial air transport operations.*

— *Note.*— *Annex 18 contains a similar provision in this regard.*

APPENDIX B

PROPOSED AMENDMENT TO ANNEX 6, PART II

PART III — INTERNATIONAL OPERATIONS — HELICOPTERS

CHAPTER 12. DANGEROUS GOODS

12.1 GENERAL APPLICABILITY

Note 1.— Annex 18 — The Safe Transport of Dangerous Goods by Air includes broad provisions for the international transport of dangerous goods by air which are amplified in the Technical Instructions for the Safe Transport of Dangerous Goods by Air (Doc 9284, Technical Instructions). Annex 18, Chapter 2 includes provisions making dangerous goods under certain conditions not subject to Annex 18. ~~These are amplified in Parts 1;1 and 1;2 of the Technical Instructions.~~

Note 2. — Due to the differences in the type of operations carried out by helicopters, compared to those of aeroplanes, some additional considerations need to be made when dangerous goods are carried by helicopter, as described in the Technical Instructions for the Safe Transport of Dangerous Goods by Air (Doc 9284, Technical Instructions), Part 7;7.

12.2 STATE RESPONSIBILITIES

Note 1.— Annex 18, Chapter 2, contains requirements for each State to take the necessary measures to achieve compliance with the detailed provisions contained in the Technical Instructions.

Note 2.— Operator responsibilities for the transport of dangerous goods are contained in Chapters 8, 9 and 10~~5~~ of Annex 18. ~~Part 7 of the Technical Instructions contains the operator's responsibilities and requirements for incident and accident reporting.~~

~~Note 3.— Annex 18, Chapter 11 contains requirements for each Contracting State to establish oversight procedures for all entities (including packers, shippers, ground handling agents and operators) performing dangerous goods functions.~~

Note 4~~3~~.— The requirements pertaining to crew members or passengers carrying dangerous goods on aircraft are set forth contained in Part 8;1, of the Technical Instructions Chapter 6 of Annex 18.

Note 5~~4~~.— Operator material (COMAT) that meets the classification criteria is classified as dangerous goods in accordance with Part 2 of the Technical Instructions for dangerous goods are considered cargo and must be transported in accordance with Part 1;2;2.2 of the Technical Instructions (e.g. aircraft parts such as chemical oxygen generators, fuel control units, fire extinguishers, oils, lubricants and cleaning products).

12.3 OPERATORS WITH NO SPECIFIC APPROVAL FOR THE TRANSPORT OF DANGEROUS GOODS AS CARGO

The State of the Operator shall ensure that operators with no specific approval to transport dangerous goods have: ~~develop and implement dangerous goods training programmes and policies and procedures associated with the carriage of cargo, mail, passenger and crew baggage in accordance with the requirements in Annex 18, 5.2.1, 5.3 and 6.~~

- ~~a) established a dangerous goods training programme that meets the requirements of Annex 18, the applicable requirements of the Technical Instructions, Part 1;4 and the requirements of the State's regulations, as appropriate. Details of the dangerous goods training programme shall be included in the operators' operations manuals; and~~
- ~~b) established dangerous goods policies and procedures in their operations manuals to meet, at a minimum, the requirements of Annex 18, the Technical Instructions and the State's regulations to allow operator personnel to:
 - ~~1) identify and reject undeclared dangerous goods, including COMAT classified as dangerous goods; and~~
 - ~~2) report to the appropriate authorities of the State of the Operator, and the State in which it occurred, any:
 - ~~i) occasions when undeclared dangerous goods are discovered in cargo or mail; and ii) dangerous goods accidents and incidents.~~~~~~

12.4 OPERATORS WITH A SPECIFIC APPROVAL FOR THE TRANSPORT OF DANGEROUS GOODS AS CARGO

12.4.1 Overview

The State of the Operator shall issue a specific approval for the transport of dangerous goods and ensure that the operator develops and implements dangerous goods training programmes and policies and procedures associated with the carriage of cargo, mail, passenger and crew baggage in accordance with the requirements in Annex 18, Chapters 5 and 6.

- ~~a) establishes a dangerous goods training programme that meets the requirements in the Technical Instructions, Part 1;4, and the requirements of the State regulations, as appropriate. Details of the dangerous goods training programme shall be included in the operator's operations manuals;~~
- ~~b) establishes dangerous goods policies and procedures in its operations manual to meet, at a minimum, the requirements of Annex 18, the Technical Instructions and the State's regulations to enable operator personnel to:
 - ~~1) identify and reject undeclared or misdeclared dangerous goods in cargo or mail, including COMAT classified as dangerous goods;~~
 - ~~2) report to the appropriate authorities of the State of the Operator, and the State in which it occurred, any;~~~~

- ~~i) — occasions when undeclared or misdeclared dangerous goods are discovered in cargo or mail; and~~
- ~~ii) — dangerous goods accidents and incidents;~~
- ~~3) — report to the appropriate authorities of the State of the Operator any occasions when dangerous goods are discovered to have been carried:~~
 - ~~i) — when not loaded, segregated, separated or secured in accordance with the Technical Instructions, Part 7;2;and~~
 - ~~ii) — without information having been provided to the pilot in command;~~
- ~~4) — accept, handle, store, transport, load and unload dangerous goods, including COMAT classified as dangerous goods as cargo on board an aircraft; and~~
- ~~5) — provide the pilot in command with accurate and legible written or printed information concerning dangerous goods that are to be carried as cargo;~~
 - ~~[i] — for helicopter operations, with the approval of the State of the Operator, the information provided to the pilot in command may be abbreviated or briefed by other means (e.g. radio communication, as part of the working flight documentation such as a journey log or operational flight plan) where circumstances make it impractical to produce written or printed information or a dedicated form (see the Supplement to the Technical Instructions for the Safe Transport of Dangerous Goods by Air (Doc 9284SU), Part S 7;4.8).~~

~~12.4.2 Loading and securing of dangerous goods~~

~~Packages or overpacks of dangerous goods bearing the “cargo aircraft only” label shall be loaded on a helicopter performing cargo only operations in accordance with Part 7;2.4.1 of the Technical Instructions.~~

12.4.3 Dispensing or expending of dangerous goods from helicopters

Note.— These provisions refer to operations where dangerous goods are carried on helicopters with the intent to dispense the items in flight (e.g. for the purpose of avalanche control).

12.4.3.1 Each operator shall prepare and keep current a manual containing operational guidelines and handling procedures for the use and guidance of flight, maintenance and ground personnel concerned in the dispensing or expending of dangerous goods.

12.4.3.2 No person, other than a required flight crew member, or person necessary for handling or dispensing the dangerous goods, shall be carried on the aircraft.

12.4.3.3 The operator of the aircraft shall have prior permission for the dispensing or expending of dangerous goods from the owners of any airport to be used.¹

12.5 — PROVISION OF INFORMATION

~~The operator shall ensure that all personnel, including third party personnel, involved in the acceptance, handling, loading and unloading of cargo are informed of the operator's specific approval and limitations with regard to the transport of dangerous goods.~~

12.6 — DOMESTIC COMMERCIAL AIR TRANSPORT OPERATIONS

~~**Recommendation.** — *The International Standards and Recommended Practices set forth in this chapter should be applied by all Contracting States, including in the case of domestic commercial air transport operations.*~~

— END —