

DANGEROUS GOODS PANEL

Dubai, 31 March to 4 April 2003

Agenda Item 2: Development of recommendations for amendments to the Technical Instructions for incorporation in the 2005/2006 edition

INFORMATION BY PILOT-IN-COMMAND IN CASE OF IN-FLIGHT EMERGENCY

(Presented by W A Schuurman)

1. INTRODUCTION

1.1 In WP/32 at the Frankfurt meeting changes were discussed to Annex 18 Chapter 9, paragraph 9.5 and the Technical Instructions 7: 4.3.

2.1 It was noted that it was not the objective of the DGP to change the intent when compared to the old text. There was preference to amend problematic text rather than adding a note, however, the text might not be suitable for immediate amendment.

2.2 It was agreed to await the outcome of research done by the Secretary on the origin of amended text.

2.3 It appeared that the text the DGP originally agreed to was changed due to comments by a State in response to the State Letter and therefore a compromise was reached. This version for Annex 18: 9.5, with the consequential change to the Technical Instructions, has an ambiguous meaning.

Essentially there are two problems with the text as is now:

– The phrase 'as soon as time permits' gives the wrong impression that if an emergency occurs, the provision of dangerous goods information is assured.

In a full scale emergency it must be the first priority of the pilot-in-command to safeguard the safety of the flight, which means that he has to land the aircraft without any delay. This implies there has to be more than one means provided for to get dangerous goods information to the emergency responders.

– As the text is already open to different interpretations in English, it can be expected that with translation in other languages further ambiguity will occur. Already in the mother language of the proposer an implication exists which is quite different from the original intent by the DGP.

2. **PROPOSAL**

2.1 Change the text in Annex 18, Chapter 9, Paragraph 9.5, and consequentially to the Technical Instructions 7: 4.3, to the original text proposed by this Panel at DGP 17:

9.5 Information from pilot-in-command to aerodrome authorities

If an in-flight emergency occurs and the situation permits, the pilot-in-command shall inform the appropriate air traffic services unit, for the information of aerodrome authorities, of any dangerous goods on board the aircraft, as provided for in the Technical Instructions.

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