



**WORKING PAPER**

**DANGEROUS GOODS PANEL (DGP)  
WORKING GROUP MEETING (DGP-WG/19)**

**Montréal, 1 to 5 April 2019**

**Agenda Item 2: Managing air-specific safety risks and identifying anomalies**

**2.2: Develop proposals, if necessary, for amendments to the *Technical Instructions for the Safe Transport of Dangerous Goods by Air* (Doc 9284) for incorporation in the 2021-2022 Edition**

**COMPETENCY BASED TRAINING**

(Presented by Teun Muller)

**SUMMARY**

This working paper presents a proposed amendment to Part 1;4.1.1, the deletion of 1;4.1.2 and the introduction of a new note under 1;4.1.1 of the proposed new competency-based training provisions included in Attachment 4 of the Technical Instructions.

**Action by the DGP:** The DGP-WG is invited to consider the amendment of the proposed competency-based training provisions for dangerous goods as shown in Appendix to this working paper.

**1. INTRODUCTION**

1.1 The Twenty-Sixth Meeting of the Dangerous Goods Panel (DGP/26, 16 to 27 October 2017) recommended that the training provisions of the Technical Instructions be amended. The proposed new provisions support a competency-based approach to training and assessment.

1.2 The removal of the tables, as proposed in the new training provisions, resulted in the removal of an existing requirement that personnel handling general cargo (non-dangerous goods) are trained in awareness of dangerous goods.

1.3 Some members considered this training as a requirement that had been in effect for many years through the application of Tables 1-4 and 1-5 and the provisions of Part 1;4.1.1 of the Technical Instructions and stated that this requirement was intentionally included by the DGP in 2005 in the dangerous goods training's provisions. They felt that removing this mandatory status went beyond the mandate of the group.

1.4 Others had not interpreted the existing provisions to be mandatory. They believed that requiring training for personnel not performing any functions in the Technical Instructions contradicted the principles of competency-based training and assessment and went beyond the scope of Annex 18. The issue had been debated over many meetings prior to DGP/26.

1.5 To solve the issue of the scope of Annex 18, an amendment to Chapter 10 of Annex 18 was proposed with the intent of ensuring that the requirement for the establishment of training programmes also applied to entities who were not intending to handle dangerous goods (e.g. freight forwarders handling general cargo). DGP/26 could not reach consensus on whether dangerous goods training for personnel employed by entities not handling dangerous goods could be mandated (see paragraph 2.1.4.5 and 2.1.4.6 of the DGP/26 Report). A clear majority however showed support for mandating training for entities not intending to handle dangerous goods. The mandatory requirement was therefore proposed for incorporation in Part 1, Chapter 4 to the Technical Instructions along with amendments to Chapter 10 of Annex 18. Despite the lack of consensus on the issue, there was over-all support for the training material developed for the Technical Instructions and agreement that it should be incorporated in the 2019-2020 Edition with a transitional period of two years before becoming mandatory (see Recommendations 2/2 and 2/3 of the DGP/26 report).

1.6 The Air Navigation Commission, however, did not consider the amendments to Annex 18 to be mature enough to be referred to Contracting States and appropriate international organizations for comment despite the DGP's recommendations. The Commission was also concerned that the corresponding provision proposed for incorporation in the Technical Instructions broadened the scope beyond what was intended. Because of the relationship between the provisions in the Annex and the provision in the Technical Instructions, the Commission concluded that incorporating the training provisions in the Technical Instructions should be delayed until amendments to Annex 18 were refined and processed so that the provisions were implemented in the two documents simultaneously. The Commission did agree to incorporate the training provisions in Attachment 4 to the Technical Instructions as advance information. Accordingly, they are published in Attachment 4 of the 2019-2020 Edition of the Technical Instructions.

1.7 The DGP working group held in 2018 (DGP-WG/18, 1 to 5 October 2018) was invited to consider whether freight forwarder responsibilities should be introduced into the Technical Instructions and whether a working group should be established to develop provisions. There was no opposition to the intent of the proposal, though some panel members mentioned that introducing provisions into the Technical Instructions or Annex 18 for entities not intending to carry dangerous goods was inappropriate and would not have the intended effect for the same reasons raised at DGP/26. Recognizing that there was no opposition to the intent of the proposal, only to the method proposed for achieving it, members of the Secretariat suggested the issue be discussed in a wider forum such as the FLTOPSP Cargo Safety Sub-Group (CSSG). It was suggested another document might be more effective at reaching the intended audience than the Technical Instructions would, since entities not handling dangerous goods would not be compelled to look there. A document that was wide enough to cover the scope of these entities and that was also subject to State consultation would be more effective, as the consultation process had the added benefit of raising awareness. A multidisciplinary group could consider different Annexes or associated documents.

1.8 ICAO is currently establishing a group which will deal with this and other issues. A solution that can be implemented by all is the ultimate objective, and it is expected that a multidisciplinary approach can achieve that. It is feared, however, that the group will not be established in time to resolve the issue before the convening of DGP/27. Other than the one proposed provision in Part 1;4.1.2 of Attachment 4 related to entities not handling dangerous goods, which represented one sentence in the provisions, there was unanimous support for the competency-based training provisions among panel members and the ANC. However, it is unlikely that the Commission will support incorporating the provisions in Part 1;4 of the 2021-2022 Technical Instructions unless the DGP reaches full consensus on the provisions. A revision to Part 1;4.1.1 and 1;4.1.2 of the proposed new competency-based training provisions included in Attachment 4 of the Technical Instructions is therefore proposed in an effort to reach consensus.

## **2. PROPOSED AMENDMENT**

2.1 The amendment does not introduce any new requirements but instead refers to guidance material in the same way the current provisions do. Also, a new note is introduced and it is suggested to delete the previous proposed provision 4.1.2. Its intent is to maintain the function-based approach to dangerous goods training that support competency-based training while — at the same time — provide States the flexibility to maintain their current oversight methods for dangerous goods training.

2.2 Basically, the proposed revision in 4.1.1. is a compromise that allows States, who do require personnel handling general cargo to be trained on dangerous goods awareness, a basis to maintain that without being too explicit for States who cannot mandate training for such entities through Annex 18 and the Technical Instructions. Some may argue that in that case the requirement is open to too much interpretation, but it is no different to the existing situation. Also, the intention of the provision is clear and it provides States with the necessary flexibility to implement these training requirements into their regulatory (oversight) systems.

2.3 By agreeing to this amendment, the training provisions can be incorporated in the next edition of the Technical Instructions regardless of the status of the work undertaken by the multidisciplinary group. The multidisciplinary group can then work towards the development of provisions that further enhance safety without being subject to a potentially unrealistic timeline and without stopping the already agreed amendments from being adopted. It also provides the DGP with more time to review the proposed changes to Annex 18 which were not accepted by the ANC due to the fact that they were considered not mature enough. This work could be included in the work of the working group 'Restructuring Annex 18'.

## **3. ACTION BY THE DGP-WG**

3.1 The DGP-WG is invited to consider the amendment of the proposed competency-based training provisions for dangerous goods as shown in the appendix to this working paper.

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## APPENDIX

### PROPOSED AMENDMENT TO ATTACHMENT 4 OF THE TECHNICAL INSTRUCTIONS

#### Attachment 4

#### PROPOSED NEW TRAINING PROVISIONS

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#### Chapter 1

#### PROPOSED NEW PART 1, CHAPTER 4 — DANGEROUS GOODS TRAINING

#### Chapter 4

#### DANGEROUS GOODS TRAINING

*Parts of this Chapter are affected by State Variations AE 2, BR 7, CA 11, HK 1;  
see Table A-1*

##### 4.1 ESTABLISHMENT OF DANGEROUS GOODS TRAINING PROGRAMMES

*Note.*— A training programme includes elements such as design methodology, assessment, initial and recurrent training, instructor qualifications and competencies, training records and evaluation of the effectiveness of training.

4.1.1 ~~The employer must establish and maintain a dangerous goods training programme for personnel performing any function described in these Instructions.~~ The employer must establish and maintain a dangerous goods training programme for personnel that perform functions aimed at ensuring that dangerous goods are transported in accordance with these Instructions.

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~~The following provision will be further reviewed in  
conjunction with a review of the training provisions in  
Annex 18~~

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~~[ 4.1.2 The employer [should/must] establish and maintain a dangerous goods training programme for personnel who may not perform any function described in these Instructions but do perform functions related to the movement of cargo, baggage, passengers or mail. The aim of the programme is to ensure personnel are competent to perform functions aimed at preventing undeclared dangerous goods or dangerous goods not permitted from being carried on an aircraft.]~~

*Note. 1— Chapter 6 provides guidance on tasks that personnel responsible for certain well-defined functions would typically perform.*

*Note 2.*— Security personnel who are involved with the screening of passengers and crew and their baggage and cargo or mail are required to be trained irrespective of whether the operator on which the passenger or cargo is to be transported carries dangerous goods as cargo.

4.1.3 All operators must establish a dangerous goods training programme regardless of whether or not they are approved to transport dangerous goods as cargo.

4.1.4 Training courses may be developed and delivered by or for the employer.

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