



Beschikking van de Minister van Verkeer en Waterstaat tot plaatsing in de Staatscourant van de teksten van ministeriële regelingen met betrekking tot de openbare lichamen Bonaire, Sint Eustatius en Saba, zoals gewijzigd bij de Aanpassingsregeling BES Verkeer en Waterstaat

21 september
Nr. CEND/HDJZ-2010/1398

De Minister van Verkeer en Waterstaat,

Gelet op artikel 24, tweede lid, van de Invoeringswet openbare lichamen Bonaire, Sint Eustatius en Saba;

Besluit:

Enig artikel

De tekst van de Regeling vervoer gevaarlijke stoffen door de lucht BES, zoals gewijzigd bij de Aanpassingsregeling BES Verkeer en Waterstaat, in de Staatscourant te plaatsen als bijlage bij deze beschikking.

De Minister van Verkeer en Waterstaat,
C.M.P.S. Eurlings



Tekst van de Regeling vervoer gevaarlijke stoffen door de lucht BES

Artikel 1

1. In deze beschikking wordt verstaan onder:
 - a. *afzender*: degene die de gevaarlijke stoffen voor vervoer aanbiedt;
 - b. *Bijlage 18*: de op grond van de artikelen 37, 54 en 90 van het Verdrag van Chicago vastgestelde Bijlage 18 (The Safe Transport of Dangerous Goods by Air);
 - d. *gebruiker van een luchtvaartuig*: een natuurlijk persoon of rechtspersoon die ofwel alseigenaar of houder van een luchtvaartuig dit te zijner beschikking heeft en dit onder zijn verantwoordelijkheid laat deelnemen aan het luchtverkeer;
 - e. *luchtvrachtbrief*: een document opgesteld door de luchtvrachtexpediteur die geldt als vervoerscontract tussen de verzender, de ontvanger en de luchtvaartmaatschappij;
 - f. *technische voorschriften*: de voorschriften vervat in de 'Technical instructions for the Safe Transport of Dangerous Goods by Air' (ICAO Doc 9284-AN/905), behorend bij Bijlage 18, zoals ter inzage gelegd bij het Ministerie van Verkeer en Waterstaat;
 - g. *vrachtafhandelaar*: een persoon of organisatie die diensten verleent voor het regelen van het vervoer van vracht door de lucht.
2. Op deze beschikking zijn voorts van toepassing de begripsbepalingen zoals neergelegd in paragraaf 18.1.1 van de bij deze beschikking behorende bijlage A.

Artikel 2

1. Voor de toepassing van deze beschikking gelden de bepalingen van Bijlage 18 en de bepalingen opgenomen in de Technische voorschriften alsmede eventuele wijzigingen daarop. Een wijziging van Bijlage 18 treedt in werking vanaf het moment waarop in het Tractatenblad mededeling van deze wijziging is gedaan. Van een wijziging in de Technische Voorschriften wordt mededeling gedaan in de Staatscourant.
2. Deze beschikking is van toepassing op:
 - a. gevaarlijke stoffen welke zich bevinden op een luchtvaarterrein, waaronder begrepen de aldaar aanwezige opstallen, of in een luchtvaartuig voor zover deze stoffen bestemd zijn om door de lucht te worden vervoerd, daadwerkelijk door de lucht worden vervoerd of door de lucht zijn vervoerd;
 - b. iedere natuurlijke persoon of rechtspersoon die gevaarlijke stoffen aanbiedt voor vervoer door de lucht;
 - c. iedere natuurlijke persoon of rechtspersoon die gevaarlijke stoffen door de lucht doet vervoeren of daadwerkelijk door de lucht vervoert;
 - d. iedere natuurlijke persoon of rechtspersoon die direct betrokken is bij het vervoer van gevaarlijke stoffen door de lucht.
3. Het vervoer van gevaarlijke stoffen door de lucht vindt plaats met inachtneming van de algemene bepalingen opgenomen in de paragrafen 18.1.2 tot en met 18.1.10 van de bij deze beschikking behorende bijlage A.

Artikel 3

Artikelen en stoffen worden in gevarenklassen ingedeeld conform hoofdstuk 18.2 van de bij deze beschikking behorende bijlage A.

Artikel 4

1. Het vervoer van gevaarlijke stoffen door de lucht is verboden tenzij er sprake is van de gevallen bedoeld in de paragrafen 18.3.1 en 18.3.2 van de bij deze beschikking behorende bijlage A.
2. Het is verboden de gevaarlijke stoffen bedoeld in paragraaf 18.3.3 van de bij deze beschikking behorende bijlage A aan boord van een luchtvaartuig te vervoeren.

Artikel 5

Gevaarlijke stoffen worden verpakt overeenkomstig de voorschriften en voldoen aan de vereisten neergelegd in hoofdstuk 18.4 van de bij deze beschikking behorende bijlage A.



Artikel 6

Gevaarlijke stoffen worden verpakt en voorzien van etiketten en verpakingskenmerken overeenkomstig de bepalingen neergelegd in hoofdstuk 18.5 van de bij deze beschikking behorende bijlage A.

Artikel 7

Alvorens een zending gevaarlijke stoffen voor vervoer door de lucht wordt aangeboden voldoet de afzender aan de vereisten neergelegd in paragraaf 18.6.1 van de bij deze beschikking behorende bijlage A.

Artikel 8

Tenzij hieromtrent in de Technische Voorschriften een uitzonderingsbepaling is opgenomen zal de afzender een ondertekende luchtvrachtbrief, die de informatie en schriftelijke verklaring bedoeld in paragraaf 18.6.2, leden 1 en 2, van de bij deze beschikking behorende bijlage A bevat, overleggen aan de gebruiker van een luchtvaartuig.

Artikel 9

Bij het vervoer van gevaarlijke stoffen door de lucht voldoet de gebruiker van een luchtvaartuig aan de vereisten opgenomen in hoofdstuk 18.7 van de bij deze beschikking behorende bijlage A.

Artikel 10

De gebruiker van een luchtvaartuig waarmee gevaarlijke stoffen door de lucht worden vervoerd voorziet, vóór het vertrek van het desbetreffende luchtvaartuig, de gezagvoerder van de schriftelijke informatie bedoeld in paragraaf 18.8.1 van de bij deze beschikking behorende bijlage A.

Artikel 11

De gebruiker van een luchtvaartuig voorziet de bemanningsleden van informatie en geeft hen instructies met inachtneming van paragraaf 18.8.2 van de bij deze beschikking behorende bijlage A.

Artikel 12

De gebruiker van een luchtvaartuig draagt er zorg voor dat vóór het vertrek van het desbetreffende luchtvaartuig de passagiers worden voorzien van informatie met inachtneming van paragraaf 18.8.3 van de bij deze beschikking behorende bijlage A.

Artikel 13

De gebruiker van een luchtvaartuig, afzenders en andere organisaties betrokken bij het vervoer van gevaarlijke stoffen, voorzien hun personeel van informatie en geven hen instructies met inachtneming van paragraaf 18.8.4 van de bij deze beschikking behorende bijlage A.

Artikel 14

In geval van een noodtoestand gedurende de vlucht voorziet de gezagvoerder de luchthavenautoriteiten van informatie met inachtneming van paragraaf 18.8.5 van de bij deze beschikking behorende bijlage A.

Artikel 15

Voorvallen en ongevallen met gevaarlijke stoffen optredend vóór, tijdens of na de vlucht worden door de gebruiker van een luchtvaartuig gemeld met inachtneming van paragraaf 18.8.6 van de bij deze beschikking behorende bijlage A.

Artikel 16

1. De gebruiker van een luchtvaartuig, afzenders en andere organisaties betrokken bij het vervoer van gevaarlijke stoffen dragen er zorg voor dat trainingsprogramma's over gevaarlijke stoffen worden vastgesteld en bijgewerkt overeenkomstig hoofdstuk 18.9 van de bij deze beschikking behorende bijlage A.
2. De programma's, bedoeld in het eerste lid, worden door de Minister goedgekeurd.



Artikel 17

De gebruiker van een luchtvaartuig, afzender en vrachtafhandelaar verrichten geen werkzaamheden die verband houden met het vervoer van gevaarlijke stoffen door de lucht, tenzij zij in het bezit zijn van een vergunning als bedoeld in artikel 16, eerste lid, van de Luchtvaartwet BES.

Artikel 18

Een vergunning als bedoeld in artikel 16, eerste lid, van de Luchtvaartwet BES, kan op aanvraag worden verleend voor een termijn van ten hoogste vijf jaar.

Artikel 19

1. De aanvraag voor verlening van een vergunning als bedoeld in artikel 17, wordt ingediend door middel van een daartoe volledig ingevuld en ondertekend formulier, waarvan het model in de bij deze beschikking behorende bijlage B is neergelegd en exemplaren bij de Minister verkrijgbaar zijn.
2. De aanvraag voor verlening van een vergunning ingediend door de gebruiker van een luchtvaartuig gaat vergezeld van:
 - a. algemene informatie over de procedures van de gebruiker van een luchtvaartuig voor het afhandelen, voor het ter vervoer aanbieden en het vervoer van gevaarlijke stoffen;
 - b. een door de gebruiker behoorlijk ingevuld en ondertekend formulier getiteld 'Content of Dangerous Goods Operation's Manual' waarvan het model in de bij deze beschikking behorende bijlage C is neergelegd;
 - c. een exemplaar van de 'Application for Dangerous Goods Training Programs approval' waarvan het model in de bij deze beschikking behorende bijlage D is neergelegd; en
 - d. een voor goedkeuring door de aanvrager opgesteld 'Security Manual'.
3. De aanvraag voor verlening van een vergunning ingediend door:
 - a. een afzender, gaat vergezeld van:
 - 1° algemene informatie over de procedures van de afzender voor het in gevarenklassen indelen, verpakken, voorzien van etiketten en verpakkingen-merken, afhandelen en voor het ter vervoer aanbieden van gevaarlijke stoffen;
 - 2° een exemplaar van de 'Application for Dangerous Goods Training Programs approval' waarvan het model in de bij deze beschikking behorende bijlage D is neergelegd;
 - 3° een voor goedkeuring door de aanvrager opgesteld 'Security Manual'.
 - b. een vrachtafhandelaar, gaat vergezeld van:
 - 1° algemene informatie over de procedures van de vrachtafhandelaar voor het ter vervoer aanbieden van gevaarlijke stoffen;
 - 2° een exemplaar van de 'Application for Dangerous Goods Training Programs approval' waarvan het model in de bij deze beschikking behorende bijlage D is neergelegd;
 - 3° een voor goedkeuring door de aanvrager opgesteld 'Security Manual'.
4. De vergunning wordt door de Minister verleend indien:
 - a. de aanvrager aantoont dat er adequate procedures zijn om gevaarlijke stoffen af te handelen;
 - b. de aanvrager aantoont dat er in voldoende mate training aan het personeel werd verschaft;
5. De aanvrager tevens gebruiker toont voorts aan dat:
 - 1° indien van toepassing, er regelingen zijn getroffen met de vrachtafhandelaars;
 - 2° het 'Operations Manual' of de andere personeelsinstructies de vereiste informatie bevatten.
6. De vergunning wordt bekendgemaakt in het blad waarin van de Staatscourant.
7. Indien op de aanvraag afwijzend wordt beslist, wordt zulks bij een met redenen omklede beschikking aan de aanvrager medegedeeld.

Artikel 21

De Minister stelt de veiligheidsmaatregelen, bedoeld in hoofdstuk 18.11 van de bij deze beschikking behorende bijlage A vast.

Artikel 22

Deze regeling wordt aangeduid als: Regeling vervoer gevaarlijke stoffen door de lucht BES.



Artikel 23

Deze regeling berust op artikel 16, tweede lid, van de Luchtvaartwet BES



BIJLAGE A BEHORENDE BIJ DE REGELING VERVOER GEVAARLIJKE STOFFEN DOOR DE LUCHT BES

CIVIL AVIATION REGULATIONS

PART 18

The safe transport of dangerous goods by air

18.1 General

18.1.1 Definitions

When the following terms are used in this part, they have the following meanings:

- a) Acceptance: a package will be considered accepted when the acceptance checklist mentioned under 18.7.2. has been signed by the operator's representative. The baggage of a passenger will be considered accepted by the operator at the check-in counter when the baggage label is placed on it.
- b) Cargo aircraft: Any aircraft, other than a passenger aircraft, which is carrying goods or property;
- c) Consignment: 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;
- d) Crew member: A person assigned by an operator to duty on an aircraft during a flight duty period;
- e) Dangerous goods: Articles or substances which are capable of posing a risk to health, safety, property or the environment and which are shown in the list of dangerous goods in the Technical Instructions or which are classified according to those Instructions;
- f) Dangerous goods accident: An occurrence associated with and related to the transport of dangerous goods by air which results in fatal or serious injury to a person or major property damage;
- g) Dangerous goods incident: An occurrence, other than a dangerous goods accident, associated with and related to the transport of dangerous goods by air, not necessarily occurring on board an aircraft, which results in injury to a person, property damage, fire, breakage, spillage, leakage of fluid or radiation or other evidence that the integrity of the packaging has not been maintained. Any occurrence relating to the transport of dangerous goods which seriously jeopardizes the aircraft or its occupants is also deemed to constitute a dangerous goods incident.
- i) Exception: A provision in this part which excludes a specific item of dangerous goods from the requirements normally applicable to that item;
- j) Exemption: An authorization issued by the Minister providing relief from the provisions of this part;
- k) Flight crew member: A licensed crew member charged with duties essential to the operation of an aircraft during a flight duty period;
- l) Incompatible: Describing dangerous goods which, if mixed, would be liable to cause a dangerous evolution of heat or gas or produce a corrosive substance;
- n) Operator: A person, organization or enterprise engaged in or offering to engage in an aircraft operation;
- o) Overpack: An enclosure used by a single shipper to contain one or more packages and to form one handling unit for convenience of handling and stowage;

Note: A unit load device is not included in this definition.

- p) Package: The complete product of the packing operation consisting of the packaging and its contents prepared for transport;
- q) Packaging: Receptacles and any other components or materials necessary for the receptacle to perform its containment function;

Note: For radioactive material, see Part 2, paragraph 7.2 of the Technical Instructions.

- r) Passenger aircraft: An aircraft that carries any person other than a crew member, an operator's employee in an official capacity, an authorized representative of an appropriate national authority or a person accompanying a consignment or other cargo;
- s) Pilot-in-command: The pilot designated by the operator, or in the case of general aviation, the owner, as being in command and charged with the safe conduct of a flight;
- t) Serious injury: An injury, which is sustained by a person in an accident and which:
 - 1°. requires hospitalization for more than 48 hours, commencing within seven days from the date the injury was received; or
 - 2°. results in a fracture of any bone (except simple fractures of fingers, toes or nose); or
 - 3°. involves lacerations which cause severe haemorrhage, nerve, muscle or tendon damage; or
 - 4°. involves injury to any internal organ; or



- 5°. involves second or third degree burns, or any burns affecting more than 5 per cent of the body surface; or
- 6°. involves verified exposure to infectious substances or injurious radiation;
- u) State of : The State in the territory of which the cargo was first loaded on an aircraft;
- v) State of the Operator: The State in which the operator's principal place of business is located or, if there is no such place of business, the operator's permanent residence;
- w) UN number: The four-digit number assigned by the United Nations Committee of Experts on the Transport of Dangerous Goods to identify a substance or a particular group of substances;
- x) Unit load device: Any type of freight container, aircraft container, aircraft pallet with a net, or aircraft pallet with a net over an igloo.

Note: An overpack is not included in this definition.

18.1.2 Applicability

1. The requirements of this part shall be applicable to the carriage of dangerous goods by air as specified in Annex 18 and the current Technical Instructions for the Safe Transport of Dangerous Goods by air (ICAO DOC. Nr. 9284-AN/905), whether that transport relates to an operation under general aviation, aerial work or commercial transport requirements
2. The requirements under this part are also applicable to domestic operations.

18.1.2.1

The Minister may grant exemptions for the following, as long as every effort is made to achieve an overall level of safety in transport that is equivalent to the level of safety provided by this part:
in cases of extreme urgency; or
when other forms of transport are inappropriate; or
full compliance with the prescribed requirements is contrary to the public interest.

18.1.2.2

If the Netherlands are the State of Overflight and none of the criteria for granting an above mentioned exemption are relevant, an exemption may be granted based solely on whether it is believed that an equivalent level of safety in air transport has been achieved.

18.1.3 Any location on aircraft

Any instructions or limitations contained in the Technical Instructions for the carriage of dangerous goods on passenger or cargo aircraft, as therein defined shall for the purpose of this part be interpreted as applying also to the carriage of such goods beneath passenger or cargo aircraft.

18.1.4 General Prohibition

With respect to any goods which a person knows or ought to know or suspect to be dangerous goods, that person shall not, without determining and complying with the restrictions regarding carriage by air:

- take or cause it to be taken on board;
- suspend or cause it to be suspended beneath; or
- deliver or cause it to be delivered for loading or suspension beneath an aircraft.

18.1.5 Authorization required

Dangerous goods shall not be carried or loaded on an aircraft or suspended there under unless such goods are carried, loaded or suspended:
with the written authorization of the Minister;
in accordance with any conditions to which such approvals may be subject; and
in accordance with the Technical Instructions and any conditions specified therein.

18.1.6 Dangerous Goods Technical Instructions

1. The Minister shall inform ICAO of difficulties encountered in the application of the Technical Instructions and of any amendments which it would be desirable to make to them.
2. Although any amendment to the Technical Instructions with an immediate applicability for reasons of safety may not yet have been implemented in the Netherlands Antilles, the movement of dangerous goods which are consigned from another Contracting State in accordance with that amendment providing the goods comply in total with the revised requirements shall nevertheless



be facilitated in the territory of the Netherlands Antilles.

18.1.7 Exceptions

1. Articles and substances which would otherwise be classed as dangerous goods but which are required to be on board the aircraft in accordance with the pertinent airworthiness requirements and operating regulations, or for those specialized purposes identified in the Technical Instructions, shall be excepted from the provisions of this part.
2. Where articles and substances intended as replacements for those described in above paragraph or which have been removed for replacement are carried on an aircraft, they shall be transported in accordance with the provisions of this part except as permitted in the Technical Instructions.
3. Specific articles and substances carried by passengers or crew members shall be excepted from the provisions of this part to the extent specified in the Technical Instructions.

18.1.8 Notification of variations from the Technical Instructions

1. Where different provisions from those specified in the Technical Instructions are adopted, the Minister shall notify ICAO promptly of such variations for publication in the Technical Instructions.
2. If an operator established in the Netherlands Antilles adopts more restrictive requirements than those specified in the Technical Instructions, the Minister shall take the necessary measures to ensure the notification of such operator variations is made to ICAO for publication in the Technical Instructions.

18.1.9 Surface transport

Dangerous goods intended for air transport and prepared in accordance with this part and the ICAO Technical Instructions will be accepted for surface transport to and from aerodromes.

18.1.10 National authority

The Minister is the authority responsible for ensuring compliance with this part. ICAO will be advised of this designation and of any eventual changes.

18.2 Classification

The classification of an article or substance shall be in accordance with the provisions of the Technical Instructions.

18.3 Limitations on the transport of dangerous goods by air

18.3.1 Dangerous goods permitted for transport by air

The transport of dangerous goods by air is forbidden except as established in this part and the detailed specifications and procedures provided in the Technical Instructions.

18.3.2 Dangerous goods forbidden for transport by air unless exempted

The dangerous goods described hereunder shall be forbidden on aircraft unless exempted by the States concerned under the provisions of paragraph 18.1.2.1 or unless the provisions of the Technical Instructions indicate they may be transported under an approval issued by the State of :

- a) articles and substances that are identified in the Technical Instructions as being forbidden for transport in normal circumstances; and
- b) infected live animals.

18.3.3 Dangerous goods forbidden for transport by air under any circumstances

Articles and substances that are specifically identified by name or by generic description in the Technical Instructions as being forbidden for transport by air under any circumstances shall not be carried on any aircraft.

18.4 Packing

18.4.1 General Requirements

Dangerous goods shall be packed in accordance with the provisions of this chapter and as provided for in the Technical Instructions.



18.4.2 Packagings

1. Packagings used for the transport of dangerous goods by air shall be of good quality and shall be constructed and securely closed so as to prevent leakage which might be caused in normal conditions of transport, by changes in temperature, humidity or pressure, or by vibration.
2. Packagings shall be suitable for the contents. Packagings in direct contact with dangerous goods shall be resistant to any chemical or other action of such goods.
3. Packagings shall meet the material and construction specifications in the Technical Instructions.
4. Packagings shall be tested in accordance with the provisions of the Technical Instructions.
5. Packagings for which retention of a liquid is a basic function, shall be capable of withstanding, without leaking, the pressure stated in the Technical Instructions.
6. Inner packagings shall be so packed, secured or cushioned as to prevent their breakage or leakage and to control their movement within the outer packaging(s) during normal conditions of air transport. Cushioning and absorbent materials shall not react dangerously with the contents of the packagings.
7. No packaging shall be re-used until it has been inspected and found free from corrosion or other damage. Where a packaging is re-used, all necessary measures shall be taken to prevent contamination of subsequent contents.
8. If, because of the nature of their former contents, uncleaned empty packagings may present a hazard, they shall be tightly closed and treated according to the hazard they constitute.
9. No harmful quantity of a dangerous substance shall adhere to the outside of packages.

18.5 Labeling and marking

18.5.1 Labels

Unless otherwise provided for in the Technical Instructions, each package of dangerous goods shall be labeled with the appropriate labels and in accordance with the provisions set forth in those Instructions.

18.5.2 Markings

1. Unless otherwise provided for in the Technical Instructions, each package of dangerous goods shall be marked with the proper shipping name of its contents and, when assigned, the UN number and such other markings as may be specified in those Instructions.
2. Specification markings on packagings. Unless otherwise provided for in the Technical Instructions, each packaging manufactured to a specification contained in those Instructions shall be so marked in accordance with the appropriate provisions of those Instructions and no packaging shall be marked with a packaging specification marking unless it meets the appropriate packaging specification contained in those Instructions.

18.5.3 Languages to be used for markings

In addition to the languages required by the State of Origin and pending the development and adoption of a more suitable form of expression for universal use, English must be used for the markings related to dangerous goods.

18.6 Shipper's responsibilities

18.6.1 General requirements

Before a person offers any package or overpack of dangerous goods for transport by air, that person shall ensure that the dangerous goods are not forbidden for transport by air and are properly classified, packed, marked, labeled and accompanied by a properly executed dangerous goods transport document, as specified in this part and the Technical Instructions.

18.6.2 Dangerous goods transport document

1. Unless otherwise provided for in the Technical Instructions, the person who offers dangerous goods for transport by air shall complete, sign and provide to the operator a dangerous goods transport document, which shall contain the information required by those Instructions.
2. The transport document shall bear a declaration signed by the person who offers dangerous goods for transport by air indicating that the dangerous goods are fully and accurately described by their proper shipping names and that they are classified, packed, marked, labeled, and in proper condition for transport by air in accordance with the relevant regulations.
3. In addition to the languages required by the State of and pending the development and adoption



of a more suitable form of expression for universal use, English must be used for the dangerous goods transport document.

18.7 Operator's responsibilities

18.7.1 Acceptance for transport

An operator shall not accept dangerous goods for transport by air:

- a) unless the dangerous goods are accompanied by a completed dangerous goods transport document, except where the Technical Instructions indicate that such a document is not required; and
- b) until the package, overpack or freight container containing the dangerous goods has been inspected in accordance with the acceptance procedures contained in the Technical Instructions.

18.7.2 Acceptance checklist

An operator shall develop and use an acceptance checklist as an aid to compliance with the provisions mentioned above.

18.7.3 Loading and stowage

Packages and overpacks containing dangerous goods and freight containers containing radioactive materials shall be loaded and stowed on an aircraft in accordance with the provisions of the Technical Instructions.

18.7.4 Inspection for damage or leakage

1. Packages and overpacks containing dangerous goods and freight containers containing radioactive materials shall be inspected for evidence of leakage or damage before loading on an aircraft or into a unit load device. Leaking or damaged packages, overpacks or freight containers shall not be loaded on an aircraft.
2. A unit load device shall not be loaded aboard an aircraft unless the device has been inspected and found free from any evidence of leakage from, or damage to, any dangerous goods contained therein.
3. Where any package of dangerous goods loaded on an aircraft appears to be damaged or leaking, the operator shall remove such package from the aircraft, or arrange for its removal by an appropriate authority or organization, and thereafter shall ensure that the remainder of the consignment is in a proper condition for transport by air and that no other package has been contaminated.
4. Packages or overpacks containing dangerous goods and freight containers containing radioactive materials shall be inspected for signs of damage or leakage upon unloading from the aircraft or unit load device. If evidence of damage or leakage is found, the area where the dangerous goods or unit load device were stowed on the aircraft shall be inspected for damage or contamination.

18.7.5 Loading restrictions in passenger cabin or on flight deck

Dangerous goods shall not be carried in an aircraft cabin occupied by passengers or on the flight deck of an aircraft, except in circumstances permitted by the provisions of the Technical Instructions.

18.7.6. Removal of contamination

1. Any hazardous contamination found on an aircraft as a result of leakage or damage to dangerous goods shall be removed without delay.
2. An aircraft which has been contaminated by radioactive materials shall immediately be taken out of service and not returned to service until the radiation level at any accessible surface and the non-fixed contamination are not more than the values specified in the Technical Instructions

18.7.7 Separation and segregation

1. Packages containing dangerous goods which might react dangerously one with another shall not be stowed on an aircraft next to each other or in a position that would allow interaction between them in the event of leakage.
2. Packages of toxic and infectious substances shall be stowed on an aircraft in accordance with the provisions of the Technical Instructions.
3. Packages of radioactive materials shall be stowed on an aircraft so that they are separated from



persons, live animals and undeveloped film, in accordance with the provisions in the Technical Instructions.

18.7.8 Securing of dangerous goods cargo loads

When dangerous goods subject to the provisions contained in this part are loaded in an aircraft, the operator shall protect the dangerous goods from being damaged, and shall secure such goods in the aircraft in such a manner that will prevent any movement in flight which would change the orientation of the packages. For packages containing radioactive materials, the securing shall be adequate to ensure that the separation requirements mentioned above are met at all times.

18.7.9 Loading on cargo aircraft

Except as otherwise provided in the Technical Instructions, packages of dangerous goods bearing the 'Cargo aircraft only' label shall be loaded in such a manner that a crew member or other authorized person can see, handle and, where size and weight permit, separate such packages from other cargo in flight.

18.8 Provision of information

18.8.1 Information to pilot-in-command

The operator of an aircraft in which dangerous goods are to be carried shall provide the pilot-in-command as early as practicable before departure of the aircraft with written information as specified in the Technical Instructions. The pilot-in-command must indicate on a copy of the information provided to the pilot-in-command, or in some other way, that the information has been received. The NOTOC must be readily accessible to the aerodromes of last departure and next scheduled arrival point, until after the flight to which the information refers.

18.8.2 Information and instructions to flight crew members

The operator shall provide such information in the Operations Manual as will enable the flight crew to carry out its responsibilities with regard to the transport of dangerous goods and shall provide instructions as to the action to be taken in the event of emergencies arising involving dangerous goods.

18.8.3 Information to passengers

The aircraft operators must provide information to the passengers as to the types of dangerous goods that are forbidden to transport on board an aircraft, on their person, in carry-on and/or hold baggage as provided for in the Technical Instructions.

18.8.4 Information to other persons

Operators, shippers or other organizations involved in the transport of dangerous goods by air shall provide such information to their personnel as will enable them to carry out their responsibilities with regard to the transport of dangerous goods and shall provide instructions as to the action to be taken in the event of emergencies arising involving dangerous goods.

18.8.5 Information from pilot-in-command to aerodrome authorities

If an in-flight emergency occurs, the pilot-in-command shall, as soon as the situation permits, 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.

18.8.6. Information in the event of an aircraft accident or incident

1. In the event of:
 - a) an aircraft accident; or
 - b) a serious incident where dangerous goods carried as cargo may be involved, the operator of the aircraft carrying dangerous goods as cargo shall provide information, without delay, to emergency services responding to the accident or serious incident about the dangerous goods on board, as shown on the written information to the pilot-in-command. As soon as possible, the operator shall also provide this information to the appropriate authorities of the State of the Operator and the State in which the accident or serious incident occurred.
2. In the event of an aircraft incident, the operator of an aircraft carrying dangerous goods as cargo



shall, if requested to do so, provide information without delay to emergency services responding to the incident and to the appropriate authority of the State in which the incident occurred, about the dangerous goods on board, as shown on the written information to the pilot-in-command.

18.9 Establishment of training programmes

Dangerous goods training programmes shall be established and updated as provided for in the Technical Instructions. Initial and recurrent dangerous goods training programmes must be established and maintained by or on behalf of:

- a) shippers of dangerous goods, including packers and persons or organizations undertaking the responsibilities of the shipper;
- b) operators authorized to carry dangerous goods by air;
- c) operators not authorized to carry dangerous goods by air;
- d) ground handling agencies which perform, on behalf of the operator, the act of accepting, handling, loading, unloading, transferring or other processing of cargo, mail or stores;
- e) ground handling agencies located at an airport which perform, on behalf of the operator, the act of processing passengers;
- f) agencies, not located at an airport, which perform, on behalf of the operator, the act of checking in passengers;
- g) freight forwarders; and
- h) agencies engaged in the security screening of passengers and their baggage and/or cargo, mail or stores;
- i) Any other organization or agency involved in the transport of dangerous goods by air.

Above-mentioned training programmes must be approved by the Minister.

18.10 Compliance

18.10.1 Dangerous goods by mail

The Minister in coordination with the 'Postal Services' will establish procedures with a view to controlling the introduction of dangerous goods into air transport through the Postal Services.

18.11 Dangerous goods security provisions

The Minister shall establish dangerous goods security measures, applicable to shippers, operators and other individuals engaged in the transport of dangerous goods by air, to be taken to minimize theft or misuse of dangerous goods that may endanger persons, property or the environment. These measures must be commensurate with security provisions specified in other Annexes and the Technical Instructions.

18.12

The operator must ensure that at least one copy of the documents appropriate to the transport by air of a consignment of dangerous goods is retained for a minimum period of three months, after the flight on which the dangerous goods were transported. As a minimum, the documents which must be retained are the dangerous goods transport documents, the acceptance checklist (when this is in a form which requires physical completion) and the written information to the pilot-in-command.

Note: Where the documents are kept electronically or in a computer system, they shall be capable of being reproduced in a printed manner.



**BIJLAGE B BEHORENDE BIJ ARTIKEL 19, EERSTE LID, VAN DE REGELING VERVOER
GEVAARLIJKE STOFFEN DOOR DE LUCHT BES**

**APPLICATION FOR AN AUTHORIZATION TO CARRY DANGEROUS GOODS IN NORMAL
CIRCUMSTANCES**

1. *Once completed the form must be returned to the Minister*
 2. *Failure to complete this form in full may result in a delay in processing the application.*
 3. *The issuing of this form does not in itself constitute an authorization to carry dangerous goods.*
1. This application is for: INITIAL AUTHORIZATION / RENEWAL¹
 2. Full legal name of the operator/shipper/freight forwarder:¹
 3. Operating/trading name (if different from above):
 4. Name and position of the person with overall responsibility for the transport of dangerous goods by air for the company mentioned under 2.:
 5. Contact information of the person mentioned under 4.:
 - (a) Address:
 - (b) telephone number (office):
telephone number (mobile):
 - (c) facsimile number:
 - (d) e-mail address:
- Date:
- Signature
- (a) telephone number:
 - (b) facsimile number:
 - (c) telex number / SITA code:
 - (d) e-mail address:

¹ Delete what is not applicable



**BIJLAGE C BEHORENDE BIJ ARTIKEL 1, TWEEDE LID, ONDERDEEL B, VAN DE REGELING
VERVOER GEVAARLIJKE STOFFEN DOOR DE LUCHT BES**

CONTENT OF DANGEROUS GOODS OPERATION'S MANUAL

Operator's Name:

The information provided to the employees in the operation's Manual complies with the requirements of the Technical Instructions Chapter 4 of Part 7.

Information provided to the employees	Operation's Manual or other manual (specify)	Section of manual
The operator intends to transport dangerous goods. Yes or No.		
If no The manual contains information about the policy of the operator. Policy on COMAT (TI Part 1; 2.2.2).		
If yes The manual provides instructions as to the action to be taken in the event of emergencies involving dangerous goods.		
The manual provides instructions on loading restrictions of the operator (if applicable).		
The manual provides details of the location and the numbering system of cargo compartments.		
The manual specifies the maximum total sum of transport indexes of radioactive material permitted in each compartment.		
The information provided in the manual is sufficient to enable flight crew to carry out their responsibilities.		
The information to the ground employees is kept in the operations manual or in other manuals.		
The information is sufficient to enable ground employees to carry out their responsibilities.		
There is a list of all locations where this manual is kept.		
The information provided in this operation's manual is adequate, complete and up-to-date.		

Declaration and Signature

The information given in this application form is correct to the best of my knowledge and belief.

Name:..... Date:

Position in the operator: Signature:



BIJLAGE D BEHORENDE BIJ ARTIKEL 19, TWEEDE LID, ONDERDEEL C, DE REGELING VERVOER GEVAARLIJKE STOFFEN DOOR DE LUCHT BES

APPLICATION FOR DANGEROUS GOODS TRAINING PROGRAMS APPROVAL

The attached Dangerous Goods Training Program was prepared according to the requirements of Chapter 4 of Part 1 of ICAO Technical Instructions for the Safe Transport of Dangerous Goods by Air.

Operator's name:

Type of Training program: (Specify Category of personnel):

.....

Yes or No

All pages are identified, dated, numbered

The test to verify understanding is attached to the training program

Reference manuals mentioned:

Operation's manual,

ICAO Emergency Response Guidance,

Other manual (specify)

Category of personnel:

1	Shippers and persons undertaking responsibilities of shippers	7	Operator's and ground handling agent's staff accepting cargo (other than DG)
2	Packers	8	Operator's and ground handling agent's staff responsible for handling, storage and loading of cargo and baggage
3	Staff of freight forwarders involved in processing DG	9	Passenger - handling staff
4	Staff of freight forwarders involved in processing cargo (other than DG)	10	Flight crew members and load planners
5	Staff of freight forwarders involved in the handling, storage and loading of cargo	11	Crew members (other than flight crew members)
6	Operator's and ground handling agent's staff accepting DG	12	Security staff who deal with the screening of passengers and their baggage and cargo

CONTENT OF TRAINING PROGRAMS APPLICABLE TO PERSONNEL INVOLVED IN / AS:

Aspects of transport of dangerous goods by air with which they should be familiar, as a minimum	1	2	3	4	5	6	7	8	9	10	11	12	Training Program reference (page or section)
General Philosophy													
General applicability (1;1)	X	X	X	X	X	X	X	X	X	X	X	X	
Definition of Dangerous Goods (1;3.1)	X	X	X	X	X	X	X	X	X	X	X	X	
State and Operator Variations (Attachments 3;1 and 2)	X	X	X	X	X	X	X	X	X	X	X	X	
Unit of Measurements (1 ;3.2)	X	X	X	X	X	X	X	X	X	X	X	X	
Limitation of Dangerous Goods on Aircraft													
Dangerous Goods Forbidden for Transport by Air under any circumstances (1 ;2.1)	X	X	X	X		X	X		X	X	X	X	
Exceptions for Dangerous Goods of the Operator (1 ;2.2)	X		X	X	X	X	X	X	X	X	X	X	
Dangerous Goods in Excepted Quantities (1 ;2.4)	X	X	X	X	X	X	X	X	X	X	X	X	
Dangerous Goods in Limited Quantities (1 ;2.5)	X	X	X	X	X	X	X	X	X	X	X	X	
General Requirements for shippers													
General (5;1.1)	X		X	X		X							
Additional general requirements for infectious substances (5;1.2)	X		X	X		X							
General provision for Class 7 (5;1.3)	X		X	X		X							
Information to employees (5;1.4)	X		X	X		X							
Training (5;1.5)	X		X	X		X							
Salvage packaging (5;1.6)	X		X	X		X							
Empty packaging (5;1.7)	X		X	X		X							
Mixed packing (5;1.8)	X		X	X		X							



Aspects of transport of dangerous goods by air with which they should be familiar, as a minimum	1	2	3	4	5	6	7	8	9	10	11	12	Training Program reference (page or section)
Classification													
Classes and divisions (Introductory Chapter 2;2.1)	X	X	X		X								
Complete List of Classes, divisions and definitions (2 ;1 to 2;9)	X	X	X		X								
Packing Groups (Introductory Chapter (2;2.4)	X	X	X		X								
UN Numbers and Proper shipping name (Introductory Chapter 3 and 3;1.2)	X	X	X		X								
Classification of Substances and Articles with Multiple Hazards (Introductory Chapter 2;2.5, 2;2.7, 4;4.1 and Table 2-1)	X	X	X		X								
Transport of samples (Introductory Chapter 5)	X	X	X		X								
List of Dangerous Goods													
Arrangement of the Dangerous Goods List (3;2.1 and Table 3-1)	X	X	X		X				X				
Method of using the Dangerous Goods List for articles or substances specifically listed by name (3;1.1.2)	X	X	X		X				X				
Mixtures and solution containing one or more dangerous substances (3;1.3)	X	X	X		X				X				
Forbidden dangerous goods entries in the Dangerous Goods List (3;2.1.1 and Note 1)	X	X	X		X				X				
Special provision entries in the Dangerous Goods List (3;3 and Table 3-2)	X	X	X		X				X				
Quantity Limitations for types of aircraft (3;2.1)	X	X	X		X				X				
Dangerous goods in limited quantities (3;4)	X	X	X		X				X				
Packing requirements													
General packing requirements (4;1 and 4;2)	X	X	X		X								
Types of packaging (1 ;3.1, 2 ;7.2, 7.7 and 7.9)	X	X	X		X								
Marking of packaging other than inner packaging (4;2.4, 5;2.4 and 6;2)	X	X	X		X								
Different substances packed together (4;1.1.7 and 4;1.1.8)	X	X	X		X								
Over packs (1;3.1 and 5;1.1)	X	X	X		X								
Packing Instructions (4;3 to 4 ;11)	X	X	X		X								
Use of the packing instructions in conjunction with the Dangerous Goods List (4;2.1 and 4;3)	X	X	X		X								
Labelling and marking													
Package markings (5;2) [IATA 1.3.2.3, 7.1]	X	X	X	X	X	X	X	X	X	X	X	X	X
Labelling (5;3)	X	X	X	X	X	X	X	X	X	X	X	X	X
Over packs (5;1.1 and 5;2.4.9)	X	X	X	X	X	X	X	X	X	X	X	X	X
Handling Labels (5;3.4.2)	X	X	X	X	X	X	X	X	X	X	X	X	X
Dangerous goods transport document and other relevant documentation													
Dangerous goods transport document (5;4.1)	X		X	X	X	X							
Signature of the Shipper (5 ;4.1.6)	X		X	X	X	X							
Infectious substances (5;4.2)	X		X	X	X	X							
Air Waybill information (5;4.3)	X		X	X	X	X							
Additional documentation for other than radioactive material (5;4.4)	X		X	X	X	X							
Acceptances procedures													
General inspection requirements before acceptance (7;1.1.1)					X								
Inspection for documentation, retention of document, marking, labelling, no leakage and integrity is not compromised (7;1.1.2)					X								
Special Responsibilities - Infectious Substances (7;1.2)					X								
Acceptance Checklist (7;1.3)					X								
Cargo Acceptance Procedures (7;1.4)					X								
Undeliverable consignments of radioactive material (7;1.5)					X								
Recognition of undeclared dangerous goods													
Provision to aid recognition of undeclared dangerous goods (7;6)	X	X	X	X	X	X	X	X	X	X	X	X	X
Storage and loading procedures													
Loading restrictions on the flight deck and on passenger aircraft (7;2.1)					X	X		X		X			
Loading of incompatible dangerous goods and segregation (7;2.2 and Table 7-1)					X	X		X		X			



Aspects of transport of dangerous goods by air with which they should be familiar, as a minimum	1	2	3	4	5	6	7	8	9	10	11	12	Training Program reference (page or section)
Loading of packages containing liquid dangerous goods (7;2.3)					X	X		X		X			
Loading and securing of dangerous goods (7;2.4)					X	X		X		X			
Damaged Packages of dangerous goods (7;2.5)					X	X		X		X			
Replacement of labels (7;2.6)					X	X		X		X			
Identification of unit load devices containing dangerous goods (7;2.7)					X	X		X		X			
Stowage of (toxic) and infectious substances (7;2.8)					X	X		X		X			
Handling and Loading of Radioactive Material (7;2.9)					X	X		X		X			
Loading of magnetized materials (7;2.10)					X	X		X		X			
Loading of dry ice(7;2.11)					X	X		X		X			
Loading of expandable polystyrene beads (7;2.12)					X	X		X		X			
Handling of self-reactive substances and organic peroxides (7;2.13)					X	X		X		X			
Inspection for damage or leakage (7;3.1)					X	X		X		X			
Damaged or leaking packages of radioactive material contaminated packaging (7;3.2)					X	X		X		X			
Pilot's notification													
Information to Pilot-in-Command (7;4.1)							X	X		X			
Information by Pilot-in-command in case of In-Flight Emergency (7;4.3)							X	X		X			
Information by Operator in case of an Aircraft Accident or Incident (When dangerous goods are on board) (7;4.6)							X	X		X			
Provisions for passengers and crew													
Information to passengers (7;5.1)		X	X	X	X	X	X	X	X	X	X	X	X
Passenger check-in procedures (7;5.2)		X	X	X	X	X	X	X	X	X	X	X	X
List of general descriptions to aid recognition of undeclared dangerous goods (7;6)		X	X	X	X	X	X	X	X	X	X	X	X
Dangerous goods carried by passengers or crew (8;1.1)		X	X	X	X	X	X	X	X	X	X	X	X
Emergency procedures													
Definition of dangerous goods accident and incident (1;3.1)		X	X	X	X	X	X	X	X	X	X	X	X
Reporting of dangerous goods accidents and incidents (7;4.4)		X	X	X	X	X	X	X	X	X	X	X	X
Reporting of undeclared or misdeclared dangerous goods (7;4.5)		X	X	X	X	X	X	X	X	X	X	X	X
Emergency response information (7;4.8)		X	X	X	X	X	X	X	X	X	X	X	X
Over packs (5;1.1 and 5;2.4.9)		X	X	X	X	X	X	X	X	X	X	X	X
Handling Labels (5;3.4.2)		X	X	X	X	X	X	X	X	X	X	X	X
Dangerous goods transport document and other relevant documentation													
Dangerous goods transport document (5;4.1)		X		X	X		X	X					
Signature of the Shipper (5;4.1.6)		X		X	X		X	X					
Infectious substances (5;4.2)		X		X	X		X	X					
Air Waybill information (5;4.3)		X		X	X		X	X					
Additional documentation for other than radioactive material (5;4.4)		X		X	X		X	X					
Acceptances procedures													
General inspection requirements before acceptance (7;1.1.1)							X						
Inspection for documentation, retention of document, marking, labelling, no leakage and integrity is not compromised (7;1.1.2)							X						
Special Responsibilities - Infectious Substances (7;1.2)							X						
Acceptance Checklist (7;1.3)							X						
Cargo Acceptance Procedures (7;1.4)							X						
Undeliverable consignments of radioactive material (7;1.5)							X						
Recognition of undeclared dangerous goods													
Provision to aid recognition of undeclared dangerous goods (7;6)		X	X	X	X	X	X	X	X	X	X	X	X
Storage and loading procedures													
Loading restrictions on the flight deck and on passenger aircraft (7;2.1)					X	X		X		X			



Aspects of transport of dangerous goods by air with which they should be familiar, as a minimum	1	2	3	4	5	6	7	8	9	10	11	12	Training Program reference (page or section)
Loading of incompatible dangerous goods and segregation (7;2.2 and Table 7-1)					X	X		X		X			
Loading of packages containing liquid dangerous goods (7;2.3)					X	X		X		X			
Loading and securing of dangerous goods (7;2.4)					X	X		X		X			
Damaged Packages of dangerous goods (7;2.5)					X	X		X		X			
Replacement of labels (7;2.6)					X	X		X		X			
Identification of unit load devices containing dangerous goods (7;2.7)					X	X		X		X			
Stowage of (toxic) and infectious substances (7;2.8)					X	X		X		X			
Handling and Loading of Radioactive Material (7;2.9)					X	X		X		X			
Loading of magnetized materials (7;2.10)					X	X		X		X			
Loading of dry ice(7;2.11)					X	X		X		X			
Loading of expandable polystyrene beads (7;2.12)					X	X		X		X			
Handling of self-reactive substances and organic peroxides (7;2.13)					X	X		X		X			
Inspection for damage or leakage (7;3.1)					X	X		X		X			
Damaged or leaking packages of radioactive material contaminated packaging (7;3.2)					X	X		X		X			
Pilot's notification													
Information to Pilot-in-Command (7;4.1)						X		X		X			
Information by Pilot-in-command in case of In-Flight Emergency (7;4.3)						X		X		X			
Information by Operator in case of an Aircraft Accident or Incident (When dangerous goods are on board) (7;4.6)						X		X		X			
Provisions for passengers and crew													
Information to passengers (7;5.1)		X	X	X	X	X	X	X	X	X	X	X	X
Passenger check-in procedures (7;5.2)		X	X	X	X	X	X	X	X	X	X	X	X
List of general descriptions to aid recognition of undeclared dangerous goods (7;6)		X	X	X	X	X	X	X	X	X	X	X	X
Dangerous goods carried by passengers or crew (8;1.1)		X	X	X	X	X	X	X	X	X	X	X	X
Emergency procedures													
Definition of dangerous goods accident and incident (1;3.1)		X	X	X	X	X	X	X	X	X	X	X	X
Reporting of dangerous goods accidents and incidents (7;4.4)		X	X	X	X	X	X	X	X	X	X	X	X
Reporting of undeclared or misdeclared dangerous goods (7;4.5)		X	X	X	X	X	X	X	X	X	X	X	X
Emergency response information (7;4.8)		X	X	X	X	X	X	X	X	X	X	X	X