
STATUTORY INSTRUMENTS

1988 No. 2133

CIVIL AVIATION

**The Air Navigation (Dangerous Goods)
(Second Amendment) Regulations 1988**

Made - - - - *6th December 1988*

Coming into force - - *1st January 1989*

The Secretary of State for Transport, in exercise of his powers under article 44(1) of the Air Navigation Order 1985⁽¹⁾ and of all other powers enabling him in that behalf, hereby makes the following Regulations—

Citation and commencement

1. These Regulations may be cited as the Air Navigation (Dangerous Goods) (Second Amendment) Regulations 1988 and shall come into force on 1st January 1989.

Amendment of The Air Navigation (Dangerous Goods) Regulations 1985

2. The Air Navigation (Dangerous Goods) Regulations 1985⁽²⁾ shall be amended as follows:

(1) In regulation 3(1) there shall be substituted for the sub-paragraph commencing with the words “Technical Instructions” the following—

““Technical Instructions” means the 1989—1990 English language edition of the Technical Instructions for the Safe Transport of Dangerous Goods by Air approved and published by decision of the Council of the International Civil Aviation Organization;”.

(2) For regulation 4(2) there shall be substituted the following—

“(2) A person shall not:

- (a) take or cause to be taken on board,
- (b) suspend or cause to be suspended beneath, or
- (c) deliver or cause to be delivered for loading on or suspension beneath

an aircraft any dangerous goods, which he knows or ought to know or suspect to be goods capable of posing significant risk to health, safety or property when carried by air, unless the provisions of these Regulations are complied with.”.

(1) S.I. 1985/1643, to which there are amendments not relevant to these Regulations.
(2) S.I. 1985/1939, amended by S.I. 1986/2129.

(3) In regulation 6(b), for the words “the goods are classified and packed in accordance with Parts 2 and 3 of the Technical Instructions” there shall be substituted the words “the goods are classified and packed in accordance with Parts 2, 3 and 8 of the Technical Instructions”.

(4) In regulation 6(e), the words “or on his behalf” shall be inserted after the words “by him”.

(5) In regulation 7(1), for the words “shall satisfy himself by making an inspection” there shall be substituted the words “shall ensure by means of an inspection”.

(6) For regulation 7(2)(a) there shall be substituted the following—

- (a) “(2) For the purpose of each of the inspections required by paragraphs (1) (a) and (1)(b)(i) of this regulation, an acceptance check list shall be used and the results of that inspection shall be recorded thereon in accordance with the form thereof.”.

(7) In regulation 7(2)(c), the words “by him” shall be deleted.

(8) In regulation 9(2), for the words “by displaying notices at places at an airport” there shall be substituted the words “by displaying notices, sufficient in number and prominence for this purpose, at each of the places at an airport”.

(9) In regulation 9(3), for the words “The operator of an aircraft and a shipper of dangerous goods by air or, in each case, the agent thereof shall inform any employees” there shall be substituted the words “The operator of an aircraft and a shipper of dangerous goods by air and, in each case, any agent thereof shall inform any of their respective employees”.

Signed by authority of the Secretary of State

6th December 1988

Peter Bottomley
Parliamentary Under Secretary of State in the
Department of Transport

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Air Navigation (Dangerous Goods) Regulations 1985. In addition to some minor and drafting amendments the following changes are made:

(1) The definition of “Technical Instructions” now refers to the 1989—90 English language edition, approved and published by decision of the Council of the International Civil Aviation Organization (regulation 2(1)).

(2) Regulation 4(2) of the Regulations is amended such that it now applies to any dangerous goods which a person knows or ought to know or suspect to be goods capable of posing significant risk to health, safety or property when carried by air (regulation 2(2)).

(3) The notices required under regulation 9(2) of the Regulations must be displayed at each of the places at an airport specified and must be sufficient in number and prominence for the purpose specified (regulation 2(8)).

The 1989—90 English language edition of the Technical Instructions for the Safe Transport of Dangerous Goods by Air can be purchased from either—

Freight Merchandising Services,

c/o Vidap Freight Services Ltd.,

Green Lane,

Hounslow,

Middlesex TW4 6DD.

or

IAL—International Aeradio Plc,

Aeradio House,

Hayes Road,

Southall,

Middlesex UB2 5NJ.