
STATUTORY INSTRUMENTS

2009 No. 3015

The Air Navigation Order 2009

PART 18

Dangerous Goods, Weapons and Munitions of War

Carriage of dangerous goods

132.—(1) The Secretary of State may make regulations prescribing—

- (a) the classification of certain articles and substances as dangerous goods;
- (b) the categories of dangerous goods which an aircraft may not carry;
- (c) the conditions which apply to the loading on, suspension beneath and carriage by an aircraft of dangerous goods;
- (d) the manner in which dangerous goods must be packed, marked, labelled and consigned before being loaded on, suspended beneath or carried by an aircraft;
- (e) any other provisions for securing the safety of aircraft and any apparatus attached to aircraft, and the safety of persons and property on the surface in relation to the loading on, suspension beneath or carriage by an aircraft of dangerous goods;
- (f) the persons to whom information about the carriage of dangerous goods must be provided;
- (g) the documents which must be produced to the CAA or an authorised person on request; and
- (h) the powers to be conferred on an authorised person relating to the enforcement of the regulations made under this article.

(2) It is an offence to contravene or permit the contravention of or fail to comply with any regulations made under this article.

(3) The provisions of this article and of any regulations made under this article are additional to and not in derogation from articles 133 and 134.

Carriage of weapons and of munitions of war – requirement for permission and for commander to be informed

133.—(1) This article applies to any aircraft other than an EU-OPS aeroplane on a commercial air transport flight.

(2) Subject to article 135(1) and (3), an aircraft must not carry any munition of war unless—

- (a) the munition of war is carried with the permission of the CAA; and
- (b) the commander of the aircraft is informed in writing by the operator before the flight commences of the type, weight or quantity and location of any munition of war on board or suspended beneath the aircraft and any conditions of the permission of the CAA.

(3) Subject to article 135(2) and (3), it is unlawful for an aircraft to carry any sporting weapon or munition of war in any compartment or apparatus to which passengers have access.

Prohibition on carrying on board sporting weapons or munitions of war

134.—(1) Subject to article 135(2) and (3), it is unlawful for a person to carry or have in their possession or take or cause to be taken on board an aircraft, to suspend or cause to be suspended beneath an aircraft or to deliver or cause to be delivered for carriage on an aircraft any sporting weapon or munition of war unless the provisions of paragraph (2) are complied with.

- (2) The provisions referred to in paragraph (1) are that—
- (a) the sporting weapon or munition of war—
 - (i) is either part of the baggage of a passenger on the aircraft or consigned as cargo;
 - (ii) is carried in a part of the aircraft, or in any apparatus attached to the aircraft inaccessible to passengers; and
 - (iii) in the case of a firearm, is unloaded;
 - (b) information about the sporting weapon or munition of war has been supplied by that passenger or by the consignor to the operator before the flight commences; and
 - (c) the operator consents to the carriage of such sporting weapon or munition of war by the aircraft.

Exceptions concerning carriage of weapons and munitions of war

135.—(1) In the case of an aircraft which is flying under and in accordance with the terms of a police air operator's certificate the commander of the aircraft must be informed of the matters referred to in article 133(2)(b) but need not be so informed in writing.

(2) Article 133(3) and article 134 do not apply to or in relation to an aircraft which is flying under and in accordance with the terms of a police air operator's certificate.

(3) Nothing in this Part applies to any sporting weapon or munition of war taken or carried on board an aircraft registered in a country other than the United Kingdom if the sporting weapon or munition of war may under the law of the country in which the aircraft is registered be lawfully taken or carried on board for the purpose of ensuring the safety of the aircraft or of persons on board.

Definitions

136. In this Part—

- (a) 'munition of war' means—
 - (i) any weapon or ammunition;
 - (ii) any article containing an explosive, noxious liquid or gas; or
 - (iii) any other thing,
which is designed or made for use in warfare or against persons, including parts, whether components or accessories, for such weapon, ammunition or article;
- (b) 'sporting weapon' means—
 - (i) any weapon or ammunition;
 - (ii) any article containing an explosive, noxious liquid or gas; or
 - (iii) any other thing, including parts, whether components or accessories, for such weapon, ammunition or article,
which is not a munition of war.