



**Notice of Proposed Rule Making
NPRM 16-19
1 December 2016**

**Part 92
Carriage of Dangerous Goods**

**Docket CAR/16/92/01
2016-2017 Rules Review**

Background to the Civil Aviation Rules

The Civil Aviation Rules establish the minimum regulatory safety boundary for participants to gain entry into, operate within, and exit the Papua New Guinea civil aviation system. The Rules are structured in a manner similar to the Civil Aviation Rules of New Zealand and the Federal Aviation Regulations of the USA. Where practicable the Rules also align with the regulatory code of the Civil Aviation Safety Authority of Australia.

Rules are divided into Parts and each Part contains a series of individual rules which relate to a particular aviation activity. Advisory Circulars accompany many rule Parts and contain information about standards, practices and procedures that the Director has established to be an Acceptable Means of Compliance (AMC) with the associated rule. An Advisory Circular may also contain guidance material (GM) to facilitate compliance with the rule requirements.

The objective of the Civil Aviation Rules system is to strike a balance of responsibility between, on the one hand, the State and regulatory authority, the Civil Aviation Safety Authority of PNG (CASA PNG) and, on the other hand those who provide services and exercise privileges in the civil aviation system. This balance must enable the State and regulatory authority to set standards for, and monitor performance of aviation participants whilst providing the maximum flexibility for the participants to develop their own means of compliance within the safety boundary.

Section 45 of the Civil Aviation Act 2000 prescribes general requirements for participants in the civil aviation system and requires, amongst other things, participants to carry out their activities safely and in accordance with the relevant prescribed safety standards and practices.

Section 69 of the Act allows the Minister to make ordinary rules for any of the following purposes:

- The implementation of Papua New Guinea's obligations under the Convention
- To provide for safe, sustainable, effective and efficient aviation services
- To provision of aviation metrological services, search and rescue services and civil aviation security programs and services
- Assisting aviation safety and security, including but not limited to personal security
- Assisting economic development
- Ensuring environmental sustainability

1. Purpose of this NPRM

The purpose of this Notice of Proposed Rulemaking (NPRM) is to put forward for consideration the proposed amendments to Part 92 of the Civil Aviation Rules (CAR).

2. Background to the Proposal

Assessment of Part 92 identified a gap in that the rule did not clearly articulate the legal requirement for a Dangerous Goods Training Programme including recurrent training to be approved by the Director.

The propose amendments will ensure that PNG fulfill our international obligations and that our rules are updated to transpose the latest ICAO Annex 18 requirements and best industry practices.

Consequently it is proposed that:

- minor editorial amendments to include the word “rule” before all reference to the rule and other editorial amendments have been made.

It is further proposed to include the following amendments:

- Definitions amendments
Incorporating updated definitions from the ICAO Annex 18.
- Forbidden dangerous goods
Amended to include Mercury.
- Dangerous goods training programmes
Provision outlining the requirements of dangerous goods training programme to be approved by the Director
- Recurrent Training
Amended to include recurrent training requirement for Dangerous Goods Instructor.
- Dangerous Goods Training Instructor’s experience requirements
Provision outlining the experience requirement of a Dangerous Goods Instructor.

3. Costs associated with this NPRM

There is no cost associated with this amendment.

4. Summary of changes

- (1) Rule 92.3 has been updated to include updated Annex 18 definitions.
- (2) Rules 92.103, 105, 153, 173, 181, 203 and 92.205 minor editorial amendments to include the word “rule” before all reference to the rule.
- (3) Rule 92.203 amend to include the requirement for Dangerous Goods Training Programme including recurrent training to be approved by the Director.
- (4) Rule 92.205 has been amended to include recurrent training requirements for dangerous

good instructors.

(5) New rule 92.209 setting out the requirements for dangerous goods instructors.

5. Legislative Analysis

The Minister may make ordinary rules under sections 69, 70, 71 and 72 of the Civil Aviation Act 2000, for various purposes including implementing Papua New Guinea's obligations under the Convention on International Civil Aviation, assisting aviation safety and security, and any matter contemplated under the Act.

These proposed rules are made pursuant to:

- (a) Section 69(1)(a) which provides for the Minister to make rules for the implementation of Papua New Guinea's obligations under the Convention;
- (b) Section 72(a) which provides for the Minister to make rule for the designation, classification and certification of-
 - (1) Air services:
 - (2) Aerodrome operators:
 - (3) Aviation security providers:
 - (4) Aviation training organizations"
 - (5) Aircraft design, manufacture, maintenance and supply organizations:
 - (6) Air traffic services;
 - (7) Aviation meteorological services:
 - (8) Aeronautical communication services:
 - (9) Aeronautical procedures.

The proposed amendment of Part 47 complies with the requirements of the Civil Aviation Act and does not contravene the Constitution, the Aerodrome (Business Concession) Act, Civil Aviation (Air Craft Operator Liability) Act, Civil Aviation (Aircraft Charges) Act, Airport Departure Tax Act, the Explosive Act, Firearms Act, Customs Act, Plant and Disease Control Act and the Environmental Act.

The proposed Rule has been checked for language and compliance with the legal conventions of Papua New Guinea.

6. Submissions on the NPRM

6.1 Submissions are invited

Interested persons are invited to participate in the making of the proposed rule amendment by submitting written data, views, or comments. All submissions will be considered before final action on the proposed rule amendment is taken. If there is a need to make any significant change to the rule requirements in the proposal as a result of the submissions received, then interested persons may be invited to make further submissions.

6.2 Examination of submissions

All submissions will be available in the rules docket for examination by interested persons both before and after the closing date for submissions. A consultation summary will be published with final rule.

Submissions may be examined by application to the Docket Clerk at the Civil Aviation Safety Authority between 8:30 am and 3:30 pm, on weekdays, except statutory holidays.

6.3 Disclosure

Submitters should note that any information attached to submissions will become part of the docket file and will be available to the public for examination at the Civil Aviation Safety Authority offices.

Submitters should state clearly if there is any information in their submission that is commercially sensitive or for some other reason the submitter does not want the information to be released to other interested parties.

6.4 How to make submission

Submissions may be sent by the following methods:

By Mail: Docket Clerk (NPRM 16-19)
Civil Aviation Safety Authority
PO Box 1941
BOROKO
National Capital District

Delivered: Docket Clerk (NPRM 16-19)
Civil Aviation Safety Authority
Morea-Tobo Road
Six Mile, Jacksons Airport
Port Moresby NCD

By Fax: Docket Clerk (NPRM 16-19)
3251789 / 325 1919

By Email: Docket Clerk (NPRM 16-19)
rules@casapng.gov.pg

6.5 Final date for submissions

Comments must be received before **4:00pm, Friday 31st of March 2017.**

6.6 Further information

For further information contact:

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Subpart A — General

92.1 Applicability

- (a) This Part prescribes rules governing the carriage of dangerous goods by air.
- (b) This Part shall not apply to—
 - (1) articles or substances that are—
 - (i) carried on an aircraft to provide medical aid to a patient during flight; or
 - (ii) carried on an aircraft to provide veterinary aid or a humane killer for an animal during flight; or
 - (iii) carried on an aircraft for the purpose of an agricultural aircraft operation; or
 - (iv) required to be aboard an aircraft in accordance with the airworthiness or operational requirements of the Civil Aviation Rules; or
 - (v) approved by the Director to meet special operational requirements; or
 - (vi) part of the emergency or lifesaving equipment aboard an aircraft provided by the operator; or
 - (2) aerosols, alcoholic beverages, perfumes, colognes, safety matches and liquefied gas lighters carried by the operator for use or sale aboard an aircraft that carries passengers, during the flight or a series of flights, but this Part shall apply to—
 - (i) disposable gas lighters; and
 - (ii) those lighters liable to leak when exposed to reduced pressure; or
 - (3) dry ice intended for use in food and beverage service aboard the aircraft.
- (c) Articles and substances intended as replacements for those in paragraphs (b)(1)(iv) and (v) shall be carried in accordance with this Part except that, when consigned by operators, aircraft batteries are not subject to a gross mass quantity limitation.

92.3 Definitions

In this Part—

Aerosols means any non-refillable receptacle made of metal, glass, or plastic and containing a gas compressed, liquefied or dissolved under pressure, with or without a liquid, paste, or powder, and fitted with a self-closing release device allowing the contents to be ejected as solid or liquid particles in suspension in a gas, as a foam, paste, or powder, or in a liquid or gaseous state:

Cargo aircraft means an aircraft, other than an aircraft that carries passengers, which is carrying goods or property:

Class 1 dangerous goods means—

- (1) explosive substances, except those where the predominant hazard is one appropriate to another class; or
- (2) explosive articles, except devices containing explosive substances in such quantity or of such a

character that their inadvertent or accidental ignition or initiation during transport will not cause any manifestation external to the device by projection, fire, smoke, heat, or loud noise; or

- (3) substances and articles not mentioned in subparagraph (1) or (2) which are manufactured with a view to producing a practical explosive or pyrotechnic effect:

Class 2 dangerous goods means—

- (1) compressed gases; or
- (2) liquefied gases; or
- (3) gases in solution; or
- (4) refrigerated liquefied gases; or
- (5) mixtures of gases; or
- (6) mixtures of one or more gases with one or more vapours of substances of other classes; or
- (7) articles charged with a gas; or
- (8) tellurium hexafluoride; or
- (9) aerosols:

Class 3 dangerous goods means flammable liquids, but does not include liquids or mixtures of liquids or liquids containing solids in solution or suspension with a flashpoint of more than 35°C if—

- (1) they do not sustain combustion when subjected to the method of testing for combustibility given in the Technical Instructions; or
- (2) their fire point according to ISO 2592 is greater than 100°C; or
- (3) they are miscible solutions with a water content of more than 90 % by mass:

Class 4 dangerous goods means—

- (1) solids which, under conditions encountered in transport, are readily combustible or may cause or contribute to fire through friction; or
- (2) self-reactive and related substances which are liable to undergo a strongly exothermic reaction; or
- (3) desensitised explosives which may explode if not diluted sufficiently; or
- (4) substances which are liable to spontaneous heating under normal conditions encountered in transport, or to heating up in contact with air, and being then liable to catch fire; or
- (5) substances which, by interaction with water, are liable to become spontaneously flammable or to give off flammable gases in dangerous quantities:

Class 5 dangerous goods means—

- (1) substances which, although in themselves not necessarily combustible, may generally, by yielding oxygen, cause or contribute to the combustion of other material; or

- (2) organic substances which contain the bivalent —O—O— structure and may be considered derivatives of hydrogen peroxide, where one or both of the hydrogen atoms have been replaced by organic radicals:

Class 6 dangerous goods means—

- (1) substances liable to cause death or injury or harm human health if swallowed, inhaled, or touched; or
- (2) substances containing viable micro-organisms including a bacterium, virus, rickettsia, parasite, fungus, or a recombinant, hybrid or mutant, that are known or reasonably believed to cause disease in humans or animals:

Class 7 dangerous goods means any material with a specific activity greater than 70 kBq/kg:

Class 8 dangerous goods means substances which, in the event of leakage, can—

- (1) cause severe damage by chemical action when in contact with living tissue; or
- (2) materially damage other freight or the means of transport:

Class 9 dangerous goods means articles or substances which, during carriage by air, present a danger not covered by the other classes:

Compressed gas means a gas other than in solution which when packaged under pressure for transport is entirely gaseous at 20° C:

Consignment means one or more packages of dangerous goods accepted by an operator from one consignor at one time and at one address, receipted for in one lot and moving to one consignee at one destination address:

Dangerous goods means articles and 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

Dangerous goods accident means 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 or environmental damage

Dangerous goods incident means 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 or environmental 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.

Designated postal operator means any government or non-governmental entity officially designated by a Universal Postal Union (CUPU member country) to operate postal services and to fulfil the related obligations arising from the acts of the UPU Convention on its territory.

Exception means a provision in this ICAO Technical Instructions which excludes a specific item of dangerous goods from the requirements normally applicable to that item.

Exemption means an authorization, other than an approval, granted by an appropriate national authority providing relief from the provisions of the Technical Instructions

Flammable liquids means—

- (1) liquids or mixtures of liquids or liquids containing solids in solution or suspension, which give off a flammable vapour at temperatures of not more than 60.5°C closed-cup test or not more than 65.6°C

open-cup test, normally referred to as the flash point; or

- (2) liquids offered for transport at temperatures at or above their flashpoint:

Flight crew member means a licensed crew member charged with duties essential to the operation of an aircraft during a flight duty period

Gas means a substance which—

- (1) at 50° C has a vapour pressure greater than 300 kPa; or
- (2) is completely gaseous at 20° C at a standard pressure of 101.3 kPa:

Gas in solution means compressed gas which when packaged for transport is dissolved in a solvent:

Handling agent means an agency which performs on behalf of the operator some or all of the operator's functions including receiving, loading, unloading, transferring, or other processing of passengers or cargo:

Liquefied gas means a gas which when packaged for transport is partially liquid at 20° C:

Operator means a person engaged in or offering to engage in an aircraft operation:

Overpack means an enclosure used to contain one or more packages and to form one handling unit for convenience of handling and stowage:

Package means the complete product for the packing operation consisting of the packaging and its contents prepared for transport:

Packaging means the receptacle and any other components necessary for the receptacle to perform its containment function and to ensure compliance with the packing requirements of Annex 18 to the Convention:

Packing means the art and operation by which articles or substances are enveloped in wrappings, enclosed in packagings or otherwise secured:

Postal article has the same meaning as in the Postal Services Act No. 56 of 1996 as amended from time to time:

Proper shipping name means the name—

- (1) used to describe a particular article or substance in all shipping documents and notifications and, where appropriate, on packagings; and
- (2) indicated in Table 2-14 of the Technical Instructions:

Pyrophoric liquid means a liquid which may ignite spontaneously when exposed to air the temperature of which is 55° C or below:

Receptacle means a containment vessel for receiving and holding substances or articles, including any means of closing:

Refrigerated liquefied gas means a gas which when packaged for transport is partially liquid because of its low temperature:

Regular shipper means any person who—

- (1) manufactures or supplies dangerous goods and offers those dangerous goods for carriage by air; or
- (2) provides a service to the public to arrange the offer of dangerous goods for carriage by air:

State of Destination means the state in the territory of which the consignment is finally to be unloaded from an aircraft.

State of Origin means the State in the territory of which is first to be loaded on an aircraft.

State of the Operator means the state in which the operator's principal place of business is located or the operator's permanent residence.

Safety management system (SMS) means a systematic approach to managing safety, including the necessary organisational structures, accountabilities, policies and procedures.

Technical Instructions is the Technical Instructions for the Safe Transport of Dangerous Goods by air (Doc 9284), approved and issued periodically in accordance with the procedure established by the ICAO Council.

UN number means the 4 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:

Unit load device means any type of freight container, aircraft container, aircraft pallet with a net, or aircraft pallet with a net over an igloo, except for—

- (1) an overpack; or
- (2) a freight container for radioactive materials.

92.5 Classification

Each person who offers a dangerous good for carriage by air shall ensure it has been classified in accordance with the Technical Instructions.

92.7 General carriage requirements

- (a) A person shall not offer or accept dangerous goods for carriage by air unless those goods are classified, documented, certificated, described, packaged, marked, and labelled in accordance with the Technical Instructions, and in the condition for shipment prescribed by the Technical Instructions.
- (b) A person shall not carry dangerous goods by air unless those goods are accepted, handled, and carried in accordance with the Technical Instructions.

92.9 Forbidden dangerous goods

- (a) Except as provided in paragraph (b), a person shall not offer or accept dangerous goods for carriage by air if the dangerous goods are forbidden for carriage by air under the Technical Instructions.
- (b) A person may offer or accept the following forbidden dangerous goods for carriage by air if approved by the Director:
 - (1) articles or substances identified in columns 9 and 10, or 11 and 12, of the Dangerous Goods List in the Technical Instructions as being forbidden, including those articles or substances described as not otherwise specified:
 - (2) substances offered for carriage in a liquid state at temperatures equal to or exceeding 100° C, or in a solid state at temperatures equal to or exceeding 240° C:
 - (3) radioactive material contained in—
 - (i) vented Type B(M) packages as defined in the Technical Instructions; or

- (ii) packages which require external cooling by an ancillary cooling system; or
- (iii) packages subject to operational controls during carriage:
- (4) packages containing radioactive liquid pyrophoric material:
- (5) packages containing radioactive material which is also explosive:
- (6) infected live animals;
- (7) mercury.

92.11 Exceptions

- (a) A member of the Police may carry dangerous goods in an aircraft in the course of that person's duties without complying with this Part if the aircraft is performing an operation solely for Police purposes.
- (b) A person may offer or accept Class 1 or other Class of dangerous goods for carriage by air without complying with this Part if—
 - (1) approval is obtained from the Director; and
 - (2) safety and emergency procedures are established for the carriage of the goods; and
 - (3) the goods are—
 - (i) in a proper condition for carriage by air; and
 - (ii) stowed and secured for safe carriage.
- (c) A person may offer or accept dangerous goods for carriage by air without complying with this Part if—
 - (1) the dangerous goods are carried in an unpressurised aircraft that—
 - (i) has a MCTOW of 5700 kg or less; and
 - (ii) is on a domestic VFR flight; and
 - (2) the dangerous goods are not forbidden under the Technical Instructions for carriage by air in an aircraft that carries passengers; and
 - (3) safety and emergency procedures for the carriage of the dangerous goods are established; and
 - (4) each item of dangerous goods is identified; and
 - (5) the pilot-in-command is informed of the hazardous nature of the goods; and
 - (6) the dangerous goods are—
 - (i) in a proper condition for carriage by air; and
 - (ii) segregated if they are likely to react dangerously together; and
 - (iii) stowed, secured, and, if necessary, packed, to prevent leakage or damage in flight.

92.13 Carriage by passenger or crew member

A person shall not carry dangerous goods or cause dangerous goods to be carried aboard an aircraft in checked or carry-on baggage or on their person unless permitted by the Technical Instructions.

92.15 Offer of goods

- (a) Each person who offers an article or substance for carriage by air shall—
 - (1) if the article or substance is not a dangerous good, provide the operator with a signed document that—
 - (i) accurately describes the article or substance; or
 - (ii) states that the article or substance is not a dangerous good; or
 - (2) if the article or substance is a dangerous good, comply with Subpart C.
- (b) Paragraph (a)(1) shall not apply to—
 - (1) a postal article; or
 - (2) checked or carry-on baggage.

92.17 Custody of dangerous goods

- (a) Any dangerous goods offered or accepted for carriage by air that are associated with an accident or incident reported under Part 12 shall be deemed to be in the custody of the Director.
- (b) The Director may—
 - (1) inspect and open any of those goods specified in paragraph (a); and
 - (2) retain samples of the contents for testing and analysis and for evidential purposes.

Subpart B — Packaging, Packing, Marking, and Labelling

92.51 Packaging requirements

A person shall not mark, label, certify, or offer a packaging as meeting the requirements of this Part unless the packaging is—

- (1) manufactured, fabricated, marked, maintained, reconditioned, and repaired, as applicable, in accordance with the Technical Instructions; and
- (2) tested in accordance with the Technical Instructions.

92.53 Packing requirements

Each person who packs dangerous goods for carriage by air shall—

- (1) pack the goods in accordance with the Technical Instructions; and
- (2) except where the Technical Instructions otherwise provides, ensure that the packaging—
 - (i) is used as specified in the applicable test; and

- (ii) conforms in all respects with the design type, including the method of packing and size and type of any inner packagings, which was tested.

92.55 Marking requirements

Each person who marks a package or overpack containing dangerous goods for carriage by air shall mark the package or overpack—

- (1) in accordance with the Technical Instructions; and
- (2) with the following:
 - (i) the proper shipping name of the dangerous goods, and, if appropriate, supplemented with the technical name:
 - (ii) when assigned, the corresponding UN number, preceded by the letters UN:
 - (iii) the name and address of the person who offers the dangerous goods for carriage by air and the consignee:
 - (iv) such other markings as are specified in the Technical Instructions.

92.57 Labelling requirements

Each person who labels a package or overpack containing dangerous goods for carriage by air shall—

- (1) label each package and overpack in accordance with the Technical Instructions; and
- (2) ensure each hazard label indicates the nature of the hazard—
 - (i) prominently in English, on the lower half of each label; and
 - (ii) in accordance with the Technical Instructions.

Subpart C —Offer of Dangerous Goods

92.101 Applicability

- (a) This Subpart prescribes rules governing the offer of dangerous goods for carriage by air.
- (b) Each person who performs a function required by this Subpart on behalf of the person who offers the dangerous goods for carriage by air, shall perform that function in accordance with this Subpart.

92.103 Offer of dangerous goods

Each person who offers a package or overpack containing dangerous goods for carriage by air shall ensure that—

- (1) the dangerous goods are not forbidden under the Technical Instructions for carriage by air; and
- (2) the dangerous goods are certified in accordance with this Subpart; and
- (3) the dangerous goods are packaged, packed, marked, and labelled in the manner described in Subpart B; and
- (4) when required by the Technical Instructions, the dangerous goods are accompanied by a dangerous

- goods transport document that has been executed and signed in accordance with rule 92.105; and
- (5) they have otherwise complied with the Technical Instructions.

92.105 Dangerous goods transport document

- (a) Each person who offers dangerous goods for carriage by air shall, subject to rule 92.103(4), provide the operator with 2 copies of a completed and signed dangerous goods transport document that—
- (1) accurately describes the dangerous goods in the following order by their—
- (i) proper shipping name; and
 - (ii) class or, when assigned, division, including for Class 1, compatibility group; and
 - (iii) UN number, if any, preceded by the letters UN; and
 - (iv) where assigned, the appropriate packing group; and
- (2) bears the following declaration signed by the person who offered the dangerous goods for carriage by air:
- “I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked, and labelled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations”; and
- (3) complies with any additional requirements prescribed by the Technical Instructions.
- (b) The declaration required by paragraph (a)(2) may omit the reference to placarded, where appropriate.

Subpart D — Operator

92.151 Applicability

- (a) This Subpart prescribes rules governing the—
- (1) acceptance, handling, storage, loading, and inspection of dangerous goods by operators; and
 - (2) provision of information by operators concerning dangerous goods.
- (b) Where a person performs a function required by this Subpart on behalf of the operator, that person shall perform the function in accordance with this Subpart.
- (c) Nothing in this Subpart should be interpreted as requiring an operator to carry a particular article or substance or as preventing an operator from imposing special requirements on the carriage of a particular article or substance.

92.153 Acceptance of dangerous goods

An operator shall not accept for carriage by air a package, overpack, or, where permitted by the Technical Instructions, a unit load device, containing dangerous goods, unless—

- (1) it is accompanied by 2 copies of the dangerous goods transport document prescribed in rule 92.105,

except where the Technical Instructions state that such a document is not required; and

- (2) the package, overpack, or unit load device has been—
 - (i) inspected in accordance with rule 92.163; and
 - (ii) marked and labelled in accordance with rule 92.55 and rule 92.57.

92.155 Acceptance check

Each operator who accepts dangerous goods for carriage by air shall—

- (1) use an acceptance check-list to ensure that—
 - (i) the requirements in rule 92.153 are performed; and
 - (ii) the dangerous goods transport document meets the requirements in rule 92.105; and
- (2) maintain a record of the results of the acceptance check; and
- (3) retain the record required in subparagraph (2) for a minimum period of 6 months.

92.157 Aircraft loading restrictions

- (a) Except as provided in paragraph (b), an operator shall not carry dangerous goods in an aircraft cabin occupied by passengers or on the flight deck of an aircraft.
- (b) An operator may—
 - (1) permit a passenger or crew member to carry dangerous goods in checked or carry on baggage or on their person if permitted to do so under the Technical Instructions; and
 - (2) permit carriage of radioactive material in an aircraft cabin occupied by passengers or on the flight deck of an aircraft if permitted to do so as an excepted package under the Technical Instructions; and
 - (3) if performing a domestic operation, carry the following dangerous goods in the cargo compartment of a passenger cabin, where the aircraft is not equipped with a class B cargo compartment:
 - (i) Class 1, Division 1.4 Compatibility Group S explosives:
 - (ii) Class 2, Division 2.2, non-flammable, non-toxic gas:
 - (iii) Class 3, flammable liquids, Packing Group III:
 - (iv) Class 4, Division 4.1, flammable solids, Packing Group III:
 - (v) Class 5, Division 5.1, oxidising substances, Packing Group III:
 - (vi) Class 6, Division 6.1, poisonous substances, Packing Group III:
 - (vii) Class 7, radioactive materials loaded in compliance with the minimum separation distances:
 - (viii) Class 8, Packing Group III substances:
 - (ix) Class 9, miscellaneous goods.

- (c) An operator may carry dangerous goods in a main deck cargo compartment of an aircraft that carries passengers if the compartment meets all certification requirements for a class B cargo or baggage compartment.
- (d) Each operator who accepts dangerous goods for carriage by air shall load packages of dangerous goods bearing the Cargo Aircraft Only label on cargo aircraft.

92.159 Incompatible dangerous goods

An operator who accepts dangerous goods for carriage by air shall not stow packages containing dangerous goods which might react dangerously together, next to each other or in a position that would allow interaction between them in the event of leakage.

92.161 Separation, segregation, and security

Each operator who accepts dangerous goods for carriage by air shall—

- (1) stow packages of poisons and infectious substances in accordance with the Technical Instructions; and
- (2) stow radioactive materials separate from persons, live animals, and undeveloped film in accordance with the Technical Instructions; and
- (3) protect the dangerous goods loaded on an aircraft from being damaged; and
- (4) secure such goods in the aircraft in a manner that will prevent any movement in flight which would change the orientation of the packages.

92.163 Loading inspection

An operator shall not load—

- (1) a package or overpack containing dangerous goods onto an aircraft or into a unit load device unless it has been—
 - (i) inspected immediately prior to loading; and
 - (ii) found free from evidence of leakage or damage; and
- (2) a unit load device onto an aircraft until the device has been—
 - (i) inspected immediately prior to loading; and
 - (ii) found free of any evidence of leakage from, or damage to, any dangerous goods contained within.

92.165 Unloading inspection

Each operator who carries a package or overpack containing dangerous goods by air shall inspect the package or overpack for signs of damage or leakage when unloading from the aircraft or unit load device.

92.167 Removal of damage or leakage

Where evidence of damage or leakage is found when unloading an aircraft, the operator shall—

- (1) inspect the area of the aircraft where the dangerous goods or unit load device was stowed for

- damage or contamination; and
- (2) remove any hazardous contamination.

92.169 Infectious substances

Where any package containing infectious substances loaded on an aircraft appears to be damaged or leaking, the operator shall—

- (1) avoid handling the package or keep handling to a minimum; and
- (2) inspect adjacent packages for contamination and put aside any that may be contaminated; and
- (3) inform the appropriate public health authority or veterinary authority and provide information on any other countries of transit where any persons may have been exposed to danger; and
- (4) notify the consignor or the consignee.

92.171 Radioactive material

Each operator who carries dangerous goods by air shall, where the aircraft has been contaminated by radioactive materials—

- (1) immediately take the aircraft out of service; and
- (2) not return the aircraft into service until the radiation level at any accessible surface and the remaining contamination does not exceed the values specified in the Technical Instructions.

92.173 Information to pilot-in-command

- (a) Each operator of an aircraft in which dangerous goods are to be carried shall, before the departure of the aircraft, provide the pilot-in-command of the aircraft with written information concerning those goods in accordance with the Technical Instructions.
- (b) The operator shall ensure that the information in paragraph (a) is—
 - (1) readily available to the pilot-in-command during the flight; and
 - (2) presented on a form designed for, and only used for, this purpose.
- (c) Each operator of an aircraft in which dangerous goods are being carried that require a dangerous goods transport document to be completed under rule 92.105 shall, before the departure of the aircraft, provide the pilot-in-command of the aircraft with information for use in emergency response to accidents and incidents involving the dangerous goods being carried.
- (d) The operator shall ensure that the information required in paragraph (c) is readily available to the pilot-in-command during the flight.
- (~~f~~) (e) The operator shall ensure that the information required in paragraph (c) is that provided by—
 - (1) the current ICAO Doc 9481 Emergency Response Guidance for Aircraft Incidents Involving Dangerous Goods; or
 - (2) any other document which provides similar information concerning the dangerous goods being carried.

92.174 92.175 Information to employees

Each operator shall provide such information to their employees and, where applicable, their handling agent, as will enable them to carry out their responsibilities with regard to the carriage of dangerous goods including—

- (1) instructions on action to be taken in emergencies arising involving the dangerous goods; and
- (2) such other information as specified in the Technical Instructions.

92.177 Information in cargo acceptance areas

- (a) Each operator shall display notices to the public at cargo acceptance areas providing information about the carriage of dangerous goods.
- (b) The notices in paragraph (a) shall be—
 - (1) sufficient in number; and
 - (2) prominently displayed.

92.179 Information to passengers

- (a) Each operator shall inform passengers of the type of goods that they are prohibited from carrying aboard an aircraft.
- (b) The information required by paragraph (a) shall, where practical, be provided—
 - (1) by notices sufficient in number and prominently displayed—
 - (i) at each location where tickets are issued and baggage checked; and
 - (ii) in each aircraft boarding and baggage claim area; and
 - (2) with the passenger ticket.

92.181 Custody by operator

Where the operator is in possession of dangerous goods that are deemed to be in the custody of the Director under rule 92.17, the operator—

- (1) shall take all reasonable precautions to secure the goods until they are in the possession of the Director; and
- (2) may release the goods taken into custody when the Director states that they are no longer needed for inspection, testing, analysis, or evidential purposes.

Subpart E — Training**92.201 Applicability**

This Subpart prescribes rules governing the dangerous goods training requirements for—

- (1) regular shippers of dangerous goods and their agents; and
- (2) operators who accept dangerous goods for carriage by air; and

- (3) handling agents who accept dangerous goods for carriage by air; and
- (4) agencies, organisations and persons, other than operators, involved in processing or carrying by air either passengers or cargo; and
- (5) agencies engaged in the security screening of passengers and their baggage.

92.203 Dangerous goods training programmes

- (a) Each holder of an air operator certificate issued under Part 119 or the certificate holder's handling agent shall ensure that personnel assigned duties involving dangerous goods have satisfactorily completed a dangerous goods training programme, including recurrent training under rule 92.205 where applicable, in accordance with Appendix A conducted by—
 - (1) the certificate holder where the holder is authorised to provide training for those personnel; or
 - (2) the holder of an aviation training certificate issued under Part 141.
- (b) Each person, other than the holder of an air operator certificate or the certificate holder's handling agent, shall ensure that personnel assigned duties involving dangerous goods have satisfactorily completed a dangerous goods training programme, including recurrent training under rule 92.205 where applicable, in accordance with Appendix A conducted by the holder of—
 - (1) an aviation training certificate issued under Part 141; or
 - (2) a current International Air Transport Association dangerous goods training programme Certificate of Accreditation.
- (c) The operator of a Papua New Guinea registered aircraft in a foreign State is not required to comply with paragraph (a) where the loading and unloading of aircraft is performed by personnel of that State who—
 - (1) are supervised by a person who has completed the training requirements under rule 92.203; or
 - (2) have satisfactorily completed a dangerous goods training programme required by that State; or
 - (3) have satisfactorily completed a dangerous goods training programme conducted by—
 - (i) another operator that is a member airline of the International Air Transport Association; or
 - (ii) the holder of a current International Air Transport Association dangerous goods training programme Certificate of Accreditation.
- (d) The operator or handling agent of a foreign registered aircraft in Papua New Guinea is not required to comply with paragraph (a) if the personnel who are assigned dangerous goods duties have satisfactorily completed a dangerous goods training programme required by the State of the aircraft's registry.

(e) The dangerous goods training programme including recurrent training under rule 92.205 shall be approved by the Director.

92.205 Recurrent training

Each person who is required under rule 92.203 to have completed a dangerous goods training programme shall—

- (1) within 2 years of completing the programme, undertake a recurrent dangerous goods training

- programme; and
- (2) repeat the recurrent dangerous goods training programme at intervals not exceeding 2 years; and
 - (3) for instructors under rule 92.209 undergo recurrent dangerous goods training programme at intervals not exceeding 2 years.

92.207 Personnel records

- (a) Each person to whom this Subpart applies shall retain a record, for every person assigned duties involving dangerous goods, for the duration of the person's employment.
- (b) The record required to be retained under paragraph (a) shall identify for each person—
 - (1) the initial training programme and last recurrent training undertaken; and
 - (2) when it was undertaken; and
 - (3) the identity of the person and organisation that conducted the training; and
 - (4) the result and competence achieved.

92.209 Dangerous Goods Training Instructor's experience requirements

- (a) A person performing the function of a Dangerous Goods Training Instructor must:
 - (1) successfully complete at least a cargo acceptance dangerous-goods training; and
 - (2) successfully completed a course in instructor techniques; and
 - (3) have experience in the function to which the training relates.
- (b) A person holding a current IATA dangerous goods training accreditation is not required to meet the requirements of paragraph h (a).

Appendix A — Dangerous Goods Training Programme

Each dangerous goods training programme undertaken by a person shall be commensurate with the duties involving dangerous goods assigned to that person and include—

- (1) general familiarisation training, aimed at providing familiarity with the general provisions; and
- (2) function-specific training, providing detailed training in the requirements applicable to the function for which the person is responsible; and
- (3) safety training, covering the hazards presented by dangerous goods, safe handling and emergency response procedures; and
- (4) the following applicable subject matter:

Category of Personnel	Subject Matter
Operator acceptance personnel	Papua New Guinea legislation; classification of dangerous goods; prohibitions; packing instructions; labelling and marking; dangerous goods transport document(s) operator responsibilities; shipper responsibilities; emergency procedures
Personnel engaged in the ground handling storage and loading of dangerous goods	General philosophy; labelling and markings; handling and loading procedures; compatibility; emergency procedures
Passenger handling personnel and security staff who screen passengers and baggage	General philosophy; Papua New Guinea legislation; dangerous goods prohibited; exceptions for passengers; general label identification
Flight crew members	General philosophy; Papua New Guinea legislation; labelling and marking; pilots notification; emergency procedures; compatibility; loading procedures
Crew members other than flight crew members	General philosophy; Papua New Guinea legislation; dangerous goods prohibited; exceptions for passengers; general label identification; emergency procedures
Packers	Classes of dangerous goods; list of dangerous goods; general packing requirements; equivalents; specific packing instructions; labelling and marking
Regular shippers and their agents	Classification of dangerous goods; list of dangerous goods' prohibitions; packing instructions; labelling and marking; shippers responsibilities; dangerous goods transport document