

L.N. 234 of 2001

Air Navigation (Hong Kong) (Amendment of
Schedule 16) Order 2001

(Made by the Chief Executive under Article 44 of the Air
Navigation (Hong Kong) Order 1995 (Cap. 448 sub. leg.)
after consultation with the Executive Council)

1. The Air Navigation (Dangerous Goods) Regulations

Schedule 16 to the Air Navigation (Hong Kong) Order 1995 (Cap. 448 sub. leg.)
is amended---

(a) in Regulation 2(1)---

(i) in the definition of "dangerous goods", by adding "or 3" after "Part 2";

(ii) in the definition of "States concerned", by repealing "1.1.1" and
substituting "1.1.2";

(iii) in the definition of "Technical Instructions", by repealing "1999--
2000" and substituting "2001--2002";

(b) in Regulation 3---

(i) in paragraph (3)---

(A) by repealing everything from "Chapter 1.1.2(a)" to "Part 9 and" and substituting
"Chapter 1.1.3(a), 1.1.3(b), 1.1.3(d), 1.1.3(e), 1.1.3(f) or 2.2 of Part 1 or Chapter
1.1.2 of Part 8 of the Technical Instructions which are carried, loaded or suspended
in accordance with the provisions of such Chapters, and";

(B) in subparagraph (e), by repealing "or";

(C) by adding---

"(ea) required for the airworthiness, safe operation or propulsion of the aircraft
or the operation of its specialized equipment during flight; or";

(D) in the first proviso, by repealing "sub-paragraphs (c), (d) and (e)" and
substituting "sub-paragraph (c), (d), (e) or (ea)";

(E) by repealing everything after "that flight" and substituting---

":

Provided that goods specified in sub-paragraph (f) shall only be carried if all the
following requirements are met---

(i) authorizations have been given by the appropriate authorities of the States
concerned, and the appropriate authorities of the States concerned have prescribed
specific terms and conditions for the particular operator's operation;

(ii) vehicles are secured in an upright position;

(iii) fuel tanks are so filled as to prevent spillage of fuel during loading,
unloading and transit; and

(iv) adequate ventilation rates are maintained in the aircraft compartment in

which the vehicle is carried.";

(ii) in paragraph (4)---

(A) by repealing "Part 5" and substituting "Part 7";

(B) by repealing "2.5" and substituting "2.4";

(c) in Regulation 4---

(i) by adding "Documentation" as the heading;

(ii) by repealing paragraphs (2) and (3);

(d) by repealing Regulation 5;

(e) in Regulation 6---

(i) in paragraph (1)(a), by repealing everything from "Chapter 2.6" to "Part 4" and substituting "Part 4 and Chapters 2 and 4 of Part 3 as relate to marking and labelling, and Chapters 1.6, 1.7, 1.8, 2 and 3 of Part 5";

(ii) in paragraph (6), by repealing "5" and substituting "7";

(f) in Regulation 7, by repealing "5" where it twice appears and substituting "7";

(g) in Regulation 8---

(i) in the heading, by repealing "and shippers";

(ii) in paragraph (1), by repealing "5" and substituting "7";

(iii) in paragraph (3)---

(A) by repealing "and a shipper of dangerous goods by air and, in each case, any agent thereof" and substituting "and his agent";

(B) by repealing "1 of Part 6" and substituting "4 of Part 1".

Ms. Sandra LEE

Secretary for Economic Services

5 November 2001

Explanatory Note

This Order amends Schedule 16 to the Air Navigation (Hong Kong) Order 1995 (Cap. 448 sub. leg.)---

(a) to give effect to the 2001--2002 edition of the Technical Instructions for the Safe Transport of Dangerous Goods by Air approved by the International Civil Aviation Organization; and

(b) to repeal requirements which have already been covered by the Dangerous Goods (Consignment by Air) (Safety) Regulations (Cap. 384 sub. leg.).