

L.N. 193 of 2007**DANGEROUS GOODS (CONSIGNMENT BY AIR)
(SAFETY) (AMENDMENT) REGULATION 2007**

(Made by the Chief Executive in Council under section 3 of the Dangerous Goods (Consignment by Air) (Safety) Ordinance (Cap. 384))

1. Commencement

This Regulation shall come into operation on 1 January 2008.

2. Interpretation

Regulation 2 of the Dangerous Goods (Consignment by Air) (Safety) Regulations (Cap. 384 sub. leg. A) is amended by adding—

““cargo” (貨物) means any article carried on an aircraft other than—

- (a) mail;
- (b) stores; and
- (c) accompanied or mishandled baggage;

“mail” (郵件) means letters and other articles delivered, or intended to be delivered, by postal services in accordance with the rules of the Universal Postal Union;

“stores” (供應品) means—

- (a) goods which—
 - (i) whether or not sold, are intended for consumption by the passengers and the crew on board an aircraft; or
 - (ii) are necessary for the operation and maintenance of an aircraft; or
- (b) goods for sale to the passengers and the crew on board an aircraft which are intended to be landed from the aircraft;”.

3. Person signing transport document to be trained

Regulation 7(1) is repealed and the following substituted—

“(1) No person shall sign a declaration referred to in regulation 6(3)(b) in a dangerous goods transport document unless he has completed training programmes which—

- (a) are appropriate to his functions;
- (b) are described in the provisions of the Technical Instructions specified for the purposes of this subparagraph in Part II of the Schedule;
- (c) have been approved by the Director; and
- (d) are delivered by instructors who satisfy the requirements set out in the provisions of the Technical Instructions specified for the purposes of this subparagraph in Part II of the Schedule.”.

4. Training requirements for staff members of freight forwarders processing air cargo containing declared dangerous goods

(1) The heading of regulation 7A is amended by repealing “**air cargo**” and substituting “**cargo**”.

(2) Regulation 7A(1) is repealed and the following substituted—

“(1) A member of the staff of a freight forwarder shall not perform the function of processing cargo containing declared dangerous goods unless he has completed training programmes which—

- (a) are appropriate to his functions;
- (b) are described in the provisions of the Technical Instructions specified for the purposes of this subparagraph in Part II of the Schedule;
- (c) have been approved by the Director; and
- (d) are delivered by instructors who satisfy the requirements set out in the provisions of the Technical Instructions specified for the purposes of this subparagraph in Part II of the Schedule.”.

5. Schedule amended

(1) Part I of the Schedule is amended by repealing “2005–2006” and substituting “2007–2008”.

(2) Part II of the Schedule is amended, opposite the reference to regulation 4(1)(e), by repealing “4.1.5.7.3” and substituting “4.1.5.7.4”.

(3) Part II of the Schedule is amended by repealing “regulation 7(1)” and substituting “regulation 7(1)(b)”.

(4) Part II of the Schedule is amended by adding—

“regulation 7(1)(d) Chapter 4.3 of Part 1.”.

(5) Part II of the Schedule is amended by repealing “regulation 7A(1)” and substituting “regulation 7A(1)(b)”.

(6) Part II of the Schedule is amended by adding—
“regulation 7A(1)(d) Chapter 4.3 of Part 1.”.

LAM Chik-ting, Tony
Clerk to the Executive Council

COUNCIL CHAMBER
16 October 2007

Explanatory Note

This Regulation amends the Dangerous Goods (Consignment by Air) (Safety) Regulations (Cap. 384 sub. leg. A) (“the principal Regulations”) to implement certain new requirements introduced by the 2007–2008 edition of the Technical Instructions for the Safe Transport of Dangerous Goods by Air (“TIs”). The TIs are approved and published by a decision of the Council of the International Civil Aviation Organization.

2. The Regulation adds new definitions of “cargo”, “mail” and “stores” to the principal Regulations to bring the meanings of these terms in line with the TIs.

3. The Regulation also amends regulations 7 and 7A of the principal Regulations to require persons signing dangerous goods transport documents and staff members of freight forwarders processing cargo containing declared dangerous goods to complete training programmes which—

(a) have been approved by the Director-General of Civil Aviation;
and

(b) are delivered by instructors who satisfy the requirements set out in Chapter 4.3 of Part 1 of the TIs.

4. The Regulation further amends the Schedule to the principal Regulations to reflect—

(a) the introduction of the new edition of the TIs;

(b) the renumbering of Part 5 of the TIs; and

(c) the amendments referred to in paragraph 3.