

L.N. 13 of 2018

**Air Navigation (Hong Kong) Order 1995 (Amendment of
Schedule 16) Order 2018**

(Made by the Chief Executive in Council under section 2A of the Civil
Aviation Ordinance (Cap. 448))

1. Commencement

This Order comes into operation on 31 March 2018.

2. Air Navigation (Hong Kong) Order 1995 amended

The Air Navigation (Hong Kong) Order 1995 (Cap. 448 sub.
leg. C) is amended as set out in section 3.

**3. Schedule 16 amended (the Air Navigation (Dangerous Goods)
Regulations)**

- (1) Schedule 16, Regulation 2(1), definition of *Technical
Instructions*—

Repeal

“2015–2016”

Substitute

“2017–2018”.

- (2) Schedule 16, Regulation 4(5)(a)—

Repeal

“; and”

Substitute a semicolon.

- (3) Schedule 16, Regulation 4(5)(b)—

Repeal

“check list completed under Regulation 6(1A)”

Substitute

“checklist completed under Regulation 6(1A)(a)”.

- (4) Schedule 16, Regulation 4(5)(b)—

Repeal

“goods.”

Substitute

“goods; and”.

- (5) Schedule 16, after Regulation 4(5)(b)—

Add

“(c) a record of the identification of the person referred to in Regulation 6(1A)(b), for any package or unit load device containing the dangerous goods.”.

- (6) Schedule 16, Regulation 6—

Repeal paragraph (1A)

Substitute

“(1A) The operator of an aircraft must not accept for carriage by the aircraft any package or unit load device containing dangerous goods unless—

- (a) the matters set out in Chapter 1.3.1 of Part 7 of the Technical Instructions are verified by use of an acceptance checklist; and
- (b) the operator is able to identify the person who verified the matters.”.

- (7) Schedule 16, Regulation 6—

Repeal paragraph (2)

Substitute

“(2) The operator of an aircraft must keep for not less than 6 months a record of any acceptance checklist completed under paragraph (1A)(a) and a record of the identification of the person referred to in paragraph (1A)(b). The record must be in a legible form or, if it is in a non-legible form, be capable of being reproduced in a legible form.”.

(8) Schedule 16, Regulation 8—

Repeal paragraph (2)

Substitute

“(2) The operator of an aerodrome, and the operator of an aircraft in which passengers are to be carried or the operator’s handling agent, must ensure that the passengers of the aircraft are notified as to which categories of dangerous goods may not be taken on board the aircraft (whether as checked baggage or baggage accompanying passengers), in accordance with the provisions in Chapter 5.1 of Part 7 of the Technical Instructions.”.

(9) Schedule 16, Regulation 8—

Repeal paragraph (2A).

(10) Schedule 16, after Regulation 8(2B)—

Add

“(2BA) The operator of an aircraft must also describe, in one or both of the following manuals of the operator, the system of providing the information required under paragraph (2) to the passengers of the aircraft—

- (a) operations manual;
- (b) another manual the operator considers appropriate.”.

- (11) Schedule 16, Regulation 9(c)—

Repeal

“check list”

Substitute

“checklist”.

- (12) Schedule 16, Regulation 9(c)—

Repeal

“6(1A)”

Substitute

“6(1A)(a)”.

- (13) Schedule 16, Regulation 9(d)—

Repeal

“Regulations.”

Substitute

“Regulations;”.

- (14) Schedule 16, after Regulation 9(d)—

Add

- “(e) the record of the identification of the person referred to in Regulation 6(1A)(b) in a legible form in respect of any dangerous goods, referred to in Regulation 6(2).”.

Wendy LEUNG
Clerk to the Executive Council

COUNCIL CHAMBER

23 January 2018

Explanatory Note

This Order amends Schedule 16 to the Air Navigation (Hong Kong) Order 1995 (Cap. 448 sub. leg. C) to give effect to amendments introduced by the 2017–2018 edition of the Technical Instructions for the Safe Transport of Dangerous Goods by Air (*Technical Instructions*) approved and published by decision of the Council of the International Civil Aviation Organization.

2. The effect of the amendments includes—
- (a) the operator of an aircraft must be able to identify the person who performed an acceptance check set out in Chapter 1.3.1 of Part 7 of the Technical Instructions and must retain a record of the identification of the person;
 - (b) the operator of an aerodrome, and the operator of an aircraft or the operator's handling agent, must ensure that the passengers of the aircraft are notified as to which categories of dangerous goods may not be taken on board the aircraft; and
 - (c) the operator of an aircraft must describe, in the operations manual of the operator or another manual the operator considers appropriate, the system of providing the information mentioned in subparagraph (b).