

L.N. 182 of 2013

**Air Navigation (Hong Kong) Order 1995 (Amendment of
Schedule 16) Order 2013**

(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 a day to be appointed by the Director-General of Civil Aviation by notice published in the Gazette.

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 *States concerned*—

Repeal

“1.1.3”

Substitute

“1.1”.

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

Repeal

“2011–2012”

Substitute

“2013–2014”.

- (3) Schedule 16, Regulation 2(1)—

Add in alphabetical order

“*ground personnel for flight operations*, in relation to an aircraft, means a person who has the responsibilities for the operational control of the aircraft as described in Chapter 4.1.1(b) of Part 7 of the Technical Instructions;”.

- (4) Schedule 16, Regulation 3(3)(c)—

Repeal

“1.1.4”

Substitute

“1.1.5”.

- (5) Schedule 16, Regulation 3(3)(j)—

Repeal

“Chapter 1.1.2”

Substitute

“Table 8-1”.

- (6) Schedule 16, after Regulation 4(4)—

Add

“(5) If any dangerous goods are not accepted by the operator of an aircraft under Regulation 6(1A), the operator is required to preserve for not less than six months a copy of—

- (a) the document which would have been the dangerous goods transport document in respect of the dangerous goods if those goods were accepted under Regulation 6(1A) and any other document referred to in Regulation 4(4), in respect of those goods; and

(b) any acceptance check list completed under Regulation 6(1A), for any package or unit load device containing the dangerous goods.”.

(7) Schedule 16, after Regulation 7(2)—

Add

“(3) In addition to complying with paragraph (1), the operator of a helicopter must, when any dangerous goods are carried or loaded for carriage by, or suspended from, the helicopter, ensure that the matters set out in Chapters 7.1.2 and 7.1.3 of Part 7 of the Technical Instructions are taken into consideration in relation to the helicopter and the goods.”.

(8) Schedule 16, Regulation 8(1)(a), after “departure of the aircraft,”—

Add

“but not later than when the aircraft moves under its own power,”.

(9) Schedule 16, Regulation 8(1)(a), after “commander of the aircraft”—

Add

“and the ground personnel for flight operations”.

(10) Schedule 16, Regulation 8(1)(a)—

Repeal

“4.1.5, 4.1.8 and 4.1.9”

Substitute

“4.1.4, 4.1.6, 4.1.9 and 4.1.10”.

(11) Schedule 16, Regulation 8(1B)(b)—

Repeal

everything after “the copy”

Substitute

“referred to in subparagraph (a), or the information contained in it, is readily accessible to the ground personnel for flight operations until after the aircraft has landed at the aerodrome of intended destination.”.

- (12) Schedule 16, Regulation 8(2D)(a)(iii)—

Repeal

“Chapter 1.1.2”

Substitute

“Table 8–1”.

- (13) Schedule 16, Regulation 9(d), after “commander of the aircraft”—

Add

“and the ground personnel for flight operations”.

Kinnie WONG
Clerk to the Executive Council

COUNCIL CHAMBER

5 November 2013

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 2013–2014 edition of the Technical Instructions for the Safe Transport of Dangerous Goods by Air published by the International Civil Aviation Organization.

2. The amendments made by this Order include—
 - (a) specifying the time before which the operator of an aircraft has to provide the commander of the aircraft with the required information of the dangerous goods to be carried by the aircraft;
 - (b) requiring the operator to—
 - (i) also provide the information to the ground personnel for flight operations responsible for the operational control of the aircraft; and
 - (ii) ensure that a copy of it (on or with which there is an indication that it has been received by the commander), or the information contained in the copy, is readily accessible to the ground personnel for flight operations until after the landing of the aircraft at the aerodrome of intended destination;
 - (c) requiring the operator to preserve a copy of—
 - (i) the dangerous goods transport document and any other document; and
 - (ii) any acceptance check list,in respect of any dangerous goods not accepted by the operator for not less than 6 months; and

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- (d) requiring the operator to ensure that when any dangerous goods are carried or loaded for carriage by, or suspended from, a helicopter, certain matters are taken into consideration in relation to the helicopter and the goods.