



The Administration of Civil Aviation of China

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Order No.216

## **Regulations on the Transport of Dangerous Goods by Air**

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CCAR-276-R1

# Order of the Civil Aviation Administration of China

**No. 216**

*“China Civil Aviation Dangerous Goods Transportation Administration Regulations”*(CCAR 276-R1) has been endorsed by the CAAC executive meeting on 24 December 2012 and are hereby published, and shall enter into force as of 1 March 2014.

Li Jiexiang

Administrator of the CAAC

Sep 22nd, 2013

## Chapter 1

### General provisions

**Article 1** These Regulations is formulated according to the *Civil Aviation Law of China* and other relevant laws and administrative regulations in order to strengthen the management of dangerous goods transport, facilitate air transport of dangerous goods and ensure the safety of air transport.

**Article 2** These Regulations shall be applicable to the domestic public air transport operator (hereafter referred to as “domestic operator”) , the foreign public air transport operator (hereafter referred to as “foreign operator”) which operates scheduled or non scheduled flights between china and foreign countries and any organization or individual related to the air transport of dangerous goods.

**Article 3** Civil Aviation Administration of China (hereafter referred to as “CAAC”) shall be responsible for the supervision and administration of the national air transportation of dangerous goods, the regional CAAC shall be responsible for the supervision and administration in their respective administrative regions.

**Article 4** When the following terms are used in these Regulations, they have the following meanings unless otherwise specified in specific articles:

(1) Dangerous goods. 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.

(2) Technical Instructions. *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.

(3) Operator. The public air transport enterprise, including domestic operator and foreign operator, engaged in transport of passenger, baggage, cargo and mail by using civil aircraft for profits.

(4) Shipper. The person who signs the contract with the carrier for the carriage of cargo, and whose signature appears on the air waybill or shipment record.

(5) Cargo sales agent. An enterprise which is authorized by the operator to conduct air cargo sales activities on behalf of the operator.

(6) Ground handling agent. An enterprise which is authorized by the operator to provide ground handling services on behalf on the operator.

(7) Consignment. One or more packages of dangerous goods accepted by an operator from one shipper at one time and at one address, receipted for in one lot and moving to one consignee at one destination address.

(8) Pilot-in-command. The pilot designated by the operator as being in command and charged with the safe conduct of a flight.

(9) Dangerous goods accident. 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.

(10) Dangerous goods incident. 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 be a dangerous goods incident.

(11) Exception. A provision in these Regulations which excludes a specific item of dangerous goods from the requirements normally applicable to that item.

(12) Package. The complete product of the packing operation consisting of the packaging and its contents prepared for transport.

(13) Overpack. An enclosure used by a single shipper to contain one or more packages and to form one handling unit for convenience of handling and stowage. A unit load device is not included in this definition.

(14) Unit load device. Any type of freight container, aircraft container, aircraft pallet with a net, or aircraft pallet with a net over an igloo. An overpack is not included in this definition.

(15) Packaging. Receptacles and any other components or materials necessary for the receptacle to perform their containment function.

(16) State of Origin. The state in the territory of which the consignment was first loaded on an aircraft.

(17) UN number. The four-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.

**Article 5** Operators and any other organizations and individuals engaged in dangerous goods transport by air, shall comply with the Technical Instructions and its supplementary materials as well as annexes, Chinese laws, administrative regulations, rules and other regulatory documents of CAAC except otherwise regulated.

**Article 6** Organizations engaged in dangerous goods transport by air shall establish self-audit system, and conduct self-audit to ensure the manuals, management procedures, training program and staff qualification etc. are up-to-date and valid, and relevant regulations are strictly executed.

## Chapter 2

### Limitations and exemptions

**Article 7** The transport of dangerous goods by air shall comply with these Regulations and the detailed specifications and procedures provided in the Technical Instructions.

**Article 8** The dangerous goods described hereunder shall be forbidden on aircraft unless under exemption by article 12 and article 13, or the provisions of the Technical Instructions indicates that they may be transported under an approval granted by the State of Origin:

- (1) dangerous goods that are identified in the Technical Instructions as being forbidden for transport in normal circumstances; and
- (2) infected live animals.

**Article 9** Dangerous goods are forbidden to be transported by air mail or be smuggled in air mail, except otherwise regulated in the Technical Instructions.

Undeclared or falsely declared Dangerous goods as general articles and shipped as air mail are forbidden.

Postal operators and express companies accepting dangerous goods will be punished according to Chinese Post Law.

**Article 10** Articles and substances that are identified in the Technical Instructions as being forbidden for transport by air under any circumstances shall not be carried on any aircraft.

**Article 11** The provisions of these Regulations do not apply to the following:  
(1) articles and substances which would otherwise be classified as dangerous goods but which are required to be aboard the aircraft in accordance with the airworthiness requirements and operating regulations or as the special reasons identified in the Technical Instructions.

Where articles and substances intended as replacements for those described above or which have been removed for replacement are carried on an aircraft, they shall be transported in accordance with the provisions of these Regulations except permitted by the Technical Instructions.

(2) specific articles and substances carried by passengers or crew members in accordance with the provisions in the Technical Instructions.

**Article 12** The CAAC may grant an approval according to the provisions in the Technical Instructions in the following situations :

(1) the transport of dangerous goods forbidden on passenger and/or cargo aircraft where the Technical Instructions state that goods may be carried with approval; or

(2) other purposes as provided for in the Technical Instructions.

In above instances, an overall level of safety in transport shall be achieved which is equivalent to the level of safety provided for in the Technical Instructions. In the absence of a specific reference in the Technical Instructions allowing the granting of an approval, an exemption may be sought.

**Article 13** In instances of extreme urgency, or when other modes of transport are inappropriate, or when full compliance with the prescribed requirements is contrary to public interest, the CAAC may grant an exemption from the provisions of the Technical Instructions provided that in such instances every effort is made to achieve an overall level of safety in transport which is at least equivalent to the level of safety provided for in the Technical Instructions.

## **Chapter 3**

### **Procedure for dangerous goods permit application**

#### **Section 1 General**

**Article 14** No operator shall engage in the transport of dangerous goods by

air unless the operator has been granted the dangerous goods air transportation permit and operates in compliance with the permission condition.

**Article 15** The regional CAAC shall notify the applicant of the policies and regulations concerning transport of dangerous goods by air, and provide the applicant with consultancy and the standardized format of Letter of Application.

**Article 16** In the event of transporting rescue personnel and materials due to an emergency and special circumstance such as calamity, dangerous goods air transportation permit shall be granted by the regional CAAC according to relevant requirements of the CAAC.

**Article 17** Dangerous goods air transportation permit granted by the regional CAAC shall include the following:

- (1) Stating that the operator is obliged to operate under the approved scope of operations in accordance with these Regulations and the Technical Instructions;
- (2) The classes of dangerous goods approved to be transported;
- (3) Valid date of the permit;
- (4) Any limitations deemed necessary.

## **Section 2 Application and Permit of Transport of dangerous goods by air for Domestic Operator**

**Article 18** Domestic operator applying for dangerous goods air transportation permit shall comply with the following requirements:

- (1) Holding a Public Air Transport Operator's Certificate;
- (2) Dangerous goods air transportation manual fulfilling the requirements of transport of dangerous goods;
- (3) Dangerous goods training program fulfilling the requirements of transport of dangerous goods;
- (4) Establishing transport of dangerous goods by air management, operating procedures and emergency response plan in accordance with dangerous goods manual;
- (5) Allocating suitable and sufficient personnel who have been trained and successfully completed the test in accordance with the dangerous goods training program;
- (6) Capable of conducting transport of dangerous goods by air in accordance with these Regulations, the Technical Instructions and dangerous goods manual.

**Article 19** For initial application of dangerous goods air transportation permit, domestic operator shall submit the following documents:

- (1) Letter of Application;

- (2) A duplicate copy of the Public Air Transport Operator's Certificate;
- (3) The scope and classes of dangerous goods to be transported;
- (4) Dangerous goods manual;
- (5) Dangerous goods training program;
- (6) Description of fulfilling the training requirements of these Regulations and the Technical Instructions;
- (7) Emergency response plan for dangerous goods;
- (8) Statement of the compliance;
- (9) Other relevant documents required by the CAAC.

**Article 20** The domestic operator shall be liable for the authenticity of the substantial contents of the application documents. If the application documents are complete and consistent with the statutory form, the application shall be accepted by the regional CAAC. If the application documents are incomplete or inconsistent with the statutory form, the regional CAAC shall inform the applicant on the spot or inform it of all the items that need to be supplemented in 5 days. If the regional CAAC fails to do so within the aforesaid time limit, the application shall be regarded as having been accepted as of the date when the application documents are received.

**Article 21** The regional CAAC shall review the dangerous goods manual, dangerous goods training program and other relevant documents submitted by domestic operator who has established the relevant management and operating procedures and conducted trainings in accordance with its dangerous goods training program. The regional CAAC shall verify the relevant procedures and the quality of trainings to ensure it fulfills the requirements of these Regulations and Technical Instructions.

After the application has been verified and the domestic operator is confirmed to have met the requirements of Article 18 of these Regulations, dangerous goods air transportation permit shall be granted by the regional CAAC. If the regional CAAC makes a disapproval decision on the application in accordance with the law and regulations, it shall give a written decision to the applicant with relevant explanations.

**Article 22** After receiving an application, the regional CAAC shall, in 20 days, finish the verification and make the decision on whether to grant the permit or not. If an expert evaluation is needed, the regional CAAC shall notify the applicant the evaluation time in written form. The required time shall not be included in the time limit specified above.

### **Section 3 Application and Permit of Transport of dangerous goods by air for Foreign Operator**



**Article 23** Foreign operator applying for dangerous goods air transportation permit on scheduled route between location in foreign country and location in China, shall comply with the following requirements:

- (1) Holding Route Operating Permit By Foreign Air Transport Enterprises issued by the CAAC;
- (2) The permit documents on transport of dangerous goods by air or equivalent issued by the appropriate authority of the State of the Operator;
- (3) Holding dangerous goods training program or equivalent approved by the appropriate authority of the State of the Operator; allocating suitable and sufficient personnel who have been trained and successfully completed the test in accordance with the dangerous goods training program;
- (4) Holding dangerous goods manual or other valid equivalent approved by the appropriate authority of the State of the Operator and establishing transport of dangerous goods by air management, operating procedures and emergency response plan in accordance with dangerous goods manual.

**Article 24** Foreign operator applying for scheduled operation of transport of dangerous goods by air between location in foreign country and location in China, shall submit the following documents:

- (1) Letter of Application;
- (2) The permit documents on transport of dangerous goods by air or equivalent issued by the appropriate authority of the State of the Operator;
- (3) The scope and classes of dangerous goods to be transported;
- (4) Dangerous goods manual or equivalent approved by the appropriate authority of the State of the Operator;
- (5) Dangerous goods training program or equivalent approved by the appropriate authority of the State of the Operator;
- (6) A duplicate copy of Route Operating Permit By Foreign Air Transport Enterprises issued by the CAAC;
- (7) Description of fulfilling the training requirements of these Regulations and the Technical Instructions;
- (8) Other relevant documents required by the CAAC.

**Article 25** Foreign operator applying for scheduled operation of transport of dangerous goods by air between location in foreign country and location in China, shall submit the formal application fulfilling the requirements of Article 24 of these Regulations 60 days prior to the proposed commencement date. Foreign operator shall be liable for the authenticity of the substantial contents of the application documents.

If the application documents are complete and consistent with the statutory form, the application shall be accepted by the regional CAAC. If the application documents are incomplete or inconsistent with the statutory form, the regional CAAC shall inform the foreign operator on the spot or in 5 days of all the items

that need to be supplemented. If the regional CAAC fails to do so within the aforesaid time limit, the application shall be regarded as having been accepted as of the date when the application documents are received.

**Article 26** The regional CAAC shall review the application submitted by foreign operator. When the foreign operator is confirmed to meet the requirements of Article 23 of these Regulations, dangerous goods air transportation permit on scheduled operation shall be granted.

If the regional CAAC makes a disapproval decision on the application in accordance with the law and regulations, it shall give a written decision to the foreign operator with explanations.

**Article 27** After receiving an application of transport of dangerous goods by air on scheduled operation between location in foreign country and location in China submitted by the foreign operator, the regional CAAC shall, in 20 days, make the decision on whether to grant permit or not.

**Article 28** Foreign operator applying for non-scheduled operation of transport of dangerous goods by air between location in foreign country and location in China, shall comply with the following requirements:

- (1) The permit documents on transport of dangerous goods by air or equivalent issued by the appropriate authority of the State of the Operator;
- (2) When dangerous goods originated from foreign country other than the State of the Operator, the permission documents on transport of dangerous goods by air or equivalent issued by the appropriate authority of the State of origin;
- (3) Personnel engaging in non-scheduled operation have been trained and successfully completed the test in accordance with the dangerous goods training program;
- (4) Establishing transport of dangerous goods by air management, operating procedures and emergency response plan in accordance with dangerous goods manual;
- (5) Signing the airport ground handling agent agreement which includes the contents of air transport of dangerous goods with the ground handling agent in China who meets the requirements of these Regulations and has filed with the regional CAAC;
- (6) Capable of conducting transport of dangerous goods by air in accordance with these Regulations, the Technical Instructions and dangerous goods manual.

**Article 29** Foreign operator applying for non-scheduled operation of transport of dangerous goods by air between location in foreign country and location in China, shall submit the following documents:

- (1) Letter of Application;

- (2) The permit documents on transport of dangerous goods by air or equivalent issued by the appropriate authority of the State of the Operator;
- (3) When dangerous goods originated from foreign country other than the State of the Operator, the permit documents on transport of dangerous goods by air or equivalent issued by the appropriate authority of the State of origin;
- (4) The scope and classes of dangerous goods to be transported;
- (5) The ground handling agreement signed with ground handling agent in China;
- (6) Description of personnel engaging in non-scheduled operation fulfilling the training requirements of the Technical Instructions;
- (7) Other relevant documents required by the CAAC or regional CAAC.

**Article 30** Foreign operator applying for non-scheduled operation of transport of dangerous goods by air between location in foreign country and location in China, shall submit the application 7 days prior to the planned commencement date. If it fails to do so within the time limit, the application shall not be accepted by the regional CAAC.

**Article 31** Foreign operator applying for non-scheduled operation of transport of dangerous goods by air between location in foreign country and location in China, shall submit the application fulfilling the requirements of Article 29 of these Regulations. Foreign operator shall be liable for the authenticity of the substantial contents of the application documents. If the application documents are complete and consistent with the statutory form, the application shall be accepted by the regional CAAC. If the application documents are incomplete or inconsistent with the statutory form, the regional CAAC shall notify the applicant on the spot or in 3 days of all the items that need to be supplemented. If the regional CAAC fails to do so within the aforesaid time limit, the application shall be regarded as having been accepted as of the date when the application documents are received.

**Article 32** The regional CAAC shall review the application submitted by foreign operator. When the foreign operator is confirmed to have met the requirements of Article 28 of these Regulations, dangerous goods air transportation permit on non-scheduled operation shall be granted.

If the application is found unqualified after examination and If the regional CAAC makes a disapproval decision on the application in accordance with the law and regulations, the regional CAAC shall give a written decision to the foreign operator with explanations.

The regional CAAC shall examine the application within 4 days after the acceptance of the application and give a written decision on approval or disapproval. If the regional CAAC makes a disapproval decision on the

application, it shall give explanations to the foreign operator.

**Article 33** If the submitted application documents required in this Section are in languages other than Chinese or English, accurate translation in Chinese or English shall be provided.

#### **Section 4 Time Limit, Alteration and Renewal of the dangerous goods air transportation permit**

**Article 34** Valid period of dangerous goods air transportation permit is not more than two years. The permit will be invalid under one of the following conditions:

- (1) The operator abandons the permit in written form;
- (2) The permit is withdrawn or revoked in accordance with the law and regulations;
- (3) Valid period of the permit is expired without applying for an extension.

**Article 35** Any alteration shall be applied by the holder of dangerous goods air transportation permit to the regional CAAC. Together with Letter of Application, documents altered prescribed in Article 19 and 24 of these Regulations shall be submitted. If the alteration does not violate these Regulations, the regional CAAC will grant an approval to the alteration request.

**Article 36** When there are changes to the documents submitted by the operator prescribed in Article 19 and Article 24 of these Regulations amended during the valid period of the permit, the operator shall submit the updated documents to the regional CAAC for approval or acceptance.

**Article 37** The holder of dangerous goods air transportation permit shall apply for a renewal to the regional CAAC 30 days prior to the date of expiry. Together with Letter of Application, any changes to the documents prescribed in Article 19 and 24 of these Regulations shall be submitted. The regional CAAC shall make the decision on whether to extend the permit or not prior to the date of expiry. If the regional CAAC fails to do so within the aforesaid time limit, the extension shall be regarded as having been granted.

## **Chapter 4**

### **Dangerous goods air transportation manual**

**Article 38** When applying for Public Air Transport Operator's Certificate according to the *Regulations on Application for Public Air Transport Operator's*

*Certificate*, domestic operator shall submit the dangerous goods manual which fulfilling the requirements of these Regulations together with other application documents to local regional CAAC for verification.

The dangerous goods manual may be a part of the operations manual relating to operating, ground handling service, passenger and cargo transportation or other appropriate manuals of the operator depending on type and area of operation and assigned responsibilities.

**Article 39** An operator shall provide personnel involved in the transport of dangerous goods by air a dangerous goods manual which is written in the text they are familiar with. The dangerous goods manual shall be kept in a work place readily accessible so as to enable flight crew and other personnel to carry out their responsibilities with regard to dangerous goods.

**Article 40** The dangerous goods manual of domestic operator shall contain at least the following:

- (1) General policy on transport of dangerous goods by air;
- (2) Framework and responsibility of management and supervision of dangerous goods transport;
- (3) Limitations of dangerous goods carried by passengers or crew;
- (4) Reporting procedure for a dangerous goods incident or accident;
- (5) Precautions against hidden dangerous goods in cargo consignments and passenger's baggage;
- (6) Requirements for transport of dangerous goods by air in operator's properties via the operator's own aircraft;
- (7) Personnel training;
- (8) Emergency response plan for dangerous goods;
- (9) The action to be taken in the event of emergencies involving dangerous goods;
- (10) Other documents and explanations concerning safety.

In addition to the above, the dangerous goods manual of domestic operator engaging in transport of dangerous goods by air shall also contain the following:

- (1) Technical requirements and operating procedures for transport of dangerous goods by air;
- (2) Information to the pilot-in-command;

Domestic operators shall take measures to keep all the contents of the dangerous goods manual practical and current valid.

**Article 41** The operator shall take necessary measures to ensure that its employees, cargo sales agent and ground handling agent fully realize their relevant responsibilities as outlined in the dangerous goods manual when

fulfilling their obligations as well as to ensure that the operation and transport of dangerous goods by air will be in compliance with the procedures and guidelines of the dangerous goods manual.

**Article 42** The regional CAAC reserves the right to notify the operator in written form to make adjustment to the relevant content, distribution and revisions of the dangerous goods manual.

## Chapter 5

### Preparation for dangerous goods transport by air

**Article 43** It is the shipper's responsibility to ensure that the dangerous goods to be transported by air are properly classified, identified, packaged, marked and labeled as well as the dangerous goods transport document has been properly executed in accordance with the Technical Instructions.

**Article 44** The packaging used for dangerous goods shall be in compliance with all the applicable air transport requirements including:

- (1) Packagings shall be well constructed so as to prevent any loss of contents when prepared for transport, which may be caused under normal conditions of transport, by changes in temperature, humidity or pressure, or by vibration;
- (2) Packagings shall be compatible with the contents. Parts of packagings which are in direct contact with dangerous goods shall not cause a chemical or other reaction with the dangerous goods;
- (3) Packagings shall meet the material and construction specifications in the Technical Instructions;
- (4) Packagings shall be tested in accordance with the provisions of the Technical Instructions;
- (5) Packagings, for which retention of liquid is a basic function, shall be capable of withstanding the pressure specified in the Technical Instructions without leakage;
- (6) Inner packagings shall be so packed, secured or cushioned against movement in an outer packaging in such a way that, under normal conditions of transport, they cannot break, be punctured or leak their contents. Cushioning and absorbent materials shall not react dangerously with the contents of the package;
- (7) No packaging shall be re-used until it has been examined and found free from corrosion or other damage. Where a packaging is re-used, all necessary measures shall be taken to prevent contamination of subsequent contents;

- (8) If, because of the nature of their former contents, uncleaned empty packaging may present a hazard, they shall be tightly closed and treated according to the hazard they constitute;
- (9) No dangerous residue shall adhere to the outside of packages.

**Article 45** Each package of dangerous goods shall be labeled with the appropriate labels meeting all the applicable requirements of the Technical Instructions, unless otherwise provided for.

**Article 46** Unless otherwise provided for, the proper shipping name of the dangerous goods and, when assigned, the corresponding UN number and other markings as appropriate meeting the applicable requirements of the Technical Instructions, shall be displayed on each package.

Each packaging manufactured to a specification contained in the Technical Instructions shall be so marked in accordance with the appropriate provisions of the Technical Instructions, unless otherwise provided for. No packaging shall be marked with a packaging specification marking unless it meets the appropriate packaging specification contained in the Technical Instructions.

**Article 47** For international transport, in addition to the languages required by the State of Origin, English shall be used for the markings related to dangerous goods.

## Chapter 6

### Shipper's responsibilities

**Article 48** It is the shipper's responsibility to ensure that all the personnel who deal with tendering of dangerous goods consignment or signing dangerous goods transport document must have received and passed the related dangerous goods training required by these Regulations and the Technical Instructions.

**Article 49** Before offering any package or overpack of dangerous goods for transport by air, the shipper shall ensure that the dangerous goods are not forbidden for transport by air and are properly classified, packaged, marked, labeled and accompanied by relevant dangerous goods transport documents with authenticity and accuracy.

Dangerous goods restricted by national law or regulations shall be consigned in compliance with relevant regulatory requirements.

**Article 50** It is forbidden to smuggle dangerous goods in general cargo, conceal or falsely declare dangerous goods as general cargo.

**Article 51** Unless otherwise provided for in the Technical Instructions, shipper who tenders dangerous goods for transport by air shall provide the operator with the correctly completed and signed dangerous goods transport document, which shall contain the information required by the Technical Instructions.

The dangerous goods transport document shall include a declaration signed by the shipper that the dangerous goods are fully and accurately described by their proper shipping names and the goods are properly classified, packaged, marked and labeled, and in proper condition for transport in accordance with the Technical Instructions.

When necessary, shipper shall provide Material Safety Data Sheet or the authentication report issued by dangerous goods authentication institute accredited by the operator proving compliance of requirements for the transport of dangerous goods by air. The shipper shall ensure that the goods described in the dangerous goods transport document, Material Safety Data Sheet or the report is identical to the content of the consignment.

**Article 52** For international transport, in addition to the languages required by the State of Origin, English shall be used for the dangerous goods transport document.

**Article 53** The shipper shall retain a copy of the relevant dangerous goods transport documents for a minimum period of 24 months. The above-mentioned documents include the dangerous goods transport document, the air waybill and additional information and documentation as specified in these Regulations and the Technical Instructions.

**Article 54** Personnel of the shipper's agent shall receive and pass related dangerous goods training required by these Regulations and the Technical Instructions.

**Article 55** The shipper's agent acting on behalf of the shipper involved in the transport of dangerous goods by air is subject to the provisions of shipper's responsibilities prescribed in these Regulations.

## Chapter 7

### Operator and its agent's responsibilities



## Section 1 Operator's responsibilities

**Article 56** An operator shall conduct the transport of the dangerous goods by air within the approved scope and valid period of the dangerous goods transportation permit.

**Article 57** Measures shall be taken by the operator to prevent hidden dangerous goods concealed in baggage, cargo, mail and stores.

**Article 58** An operator shall not accept dangerous goods for transport by air unless at least the following requirements are met:

- (1) it is accompanied by complete dangerous goods transport document, unless otherwise provided for in the Technical Instructions;
- (2) the package, overpack or freight container containing the dangerous goods has been inspected in compliance with the acceptance procedures in the Technical Instructions; and
- (3) confirm the undersigned of the dangerous goods transport document has been trained and passed as required by these Regulations and the Technical Instructions.

**Article 59** An operator shall develop and use an acceptance checklist as an aid proving compliance with the requirements of Article 57 and Article 58 of these Regulations.

**Article 60** Packages and overpacks containing dangerous goods and freight containers containing radioactive materials shall be loaded on an aircraft in accordance with the provisions of the Technical Instructions.

**Article 61** Packages and overpacks containing dangerous goods and freight containers containing radioactive materials shall be inspected for evidence of leakage or damage before loading on an aircraft or into a unit load device. Leaking or damaged packages, overpacks or freight containers shall not be loaded on an aircraft.

**Article 62** A unit load device shall not be loaded aboard an aircraft unless it has been inspected and found free from any evidence of leakage from, or damage to, any dangerous goods contained therein.

**Article 63** Where any package of dangerous goods loaded on an aircraft appears to be damaged or leaking, the operator shall remove such package from the aircraft, or arrange for its removal by related organization, and thereafter shall ensure that the remainder of the consignment is in a proper condition for transport by air and that no other package has been contaminated.

**Article 64** Packages or overpacks containing dangerous goods and freight containers containing radioactive materials shall be inspected for signs of damage or leakage upon unloading from the aircraft or unit load device. If evidence of damage or leakage is found, the area where the dangerous goods or unit load device were stowed on the aircraft shall be inspected for damage or contamination.

**Article 65** Dangerous goods shall not be carried in an aircraft cabin occupied by passengers or on the flight deck of an aircraft, except in circumstances permitted by the provisions of the Technical Instructions.

**Article 66** Any hazardous contamination found on an aircraft as a result of leakage or damage to dangerous goods shall be removed without delay.

An aircraft which has been contaminated by radioactive materials shall immediately be taken out of service and not returned to service until the radiation level at any accessible surface and the non-fixed contamination are not more than the values specified in the Technical Instructions.

**Article 67** Packages containing dangerous goods, which might react dangerously with each other, shall not be stowed on an aircraft next to each other or in a position that would allow interaction between them in the event of leakage.

Packages of toxic and infectious substances shall be stowed on an aircraft in accordance with the provisions of the Technical Instructions.

Packages of radioactive materials shall be stowed on an aircraft so that they are separated from persons, live animals and undeveloped photographic films, in accordance with the provisions in the Technical Instructions.

**Article 68** When dangerous goods subject to these Regulations herein are loaded in an aircraft, the operator shall protect the dangerous goods from being damaged, and shall secure such goods in the aircraft in such a manner that will prevent any movement in flight which would change the orientation of the packages. For packages containing radioactive materials, the securing shall be adequate to ensure that the separation requirements of Article 67 paragraph 3 are met at all times.

**Article 69** Packages of dangerous goods bearing the “Cargo aircraft only” label shall be loaded for carriage by a cargo aircraft in accordance with the Technical Instructions.

**Article 70** An operator shall ensure that, when storing dangerous goods, the requirements of storage, separation and segregation shall be met in accordance with the provisions of the Technical Instructions.

**Article 71** When the operator requests the authentication report of the consignment from the shipper proving compliance with requirements for the transport of dangerous goods by air according to Article 51 of these Regulations, it shall notify the shipper of the authentication institute accredited by the operator. The operator shall ensure the authentication institute fulfills the relevant requirements of the provisions of the CAAC and file the accredited authentication institute to the CAAC.

The CAAC shall complete the filing process for the dangerous goods authentication institute, and announce in public within 20 days after receiving the filing.

**Article 72** An operator shall ensure that the documents, appropriate to the air transport of a dangerous goods consignment, are retained for a minimum period of 24 months after the flight on which the dangerous goods were transported. As a minimum, the retained documents must include the Dangerous goods checklist, dangerous goods transport document, Air Waybill and Notification to Pilot-in-command.

**Article 73** An operator shall sign a ground handling agreement including the contents of the transport of dangerous goods by air with a ground handling agent who performs, on behalf of the operator, the ground handling services regarding dangerous goods transport by air. The ground handling agent acting on the operator's behalf, who operates within China, shall be qualified with the requirements of these Regulations concerning ground handling agent. The ground handling agent acting on the operator's behalf, who operates outside China, shall be qualified with the requirements of local regulations concerning ground handling agent. The operator shall have the agreement filed with the regional CAAC within 7 days after it has been signed.

**Article 74** An operator shall sign the cargo sales agreement including the contents of the transport of dangerous goods by air with a cargo sales agent who performs on behalf of the operator, cargo sales activities. The operator shall ensure the cargo sales agent fulfilling the following requirements:

- (1) Holding Business License For Enterprise's Legal Person;
- (2) Staff accepting dangerous goods, cargo or mail (other than dangerous goods), staff involved in the handling, storing and loading of cargo or mail, shall be trained in accordance with the dangerous goods training program recognized by the operator and passed the training provided by the training organization fulfilling the requirements of these Regulations;

- (3) Notices giving information about the transport of dangerous goods are sufficient in number, prominently displayed and provided at a visible location(s) at the cargo, mail acceptance points to alert shippers/agents about any dangerous goods that may be contained in their consignment(s). These notices shall include visual examples of dangerous goods;
- (4) Cargo sales agent shall not tender dangerous goods consignment(s) as a shipper or on behalf of the shipper;
- (5) Necessary measures shall be taken to prevent the theft or misuse of dangerous goods that may endanger persons or property;
- (6) Cargo sales agent shall report, to the department responsible for the investigation of aircraft accident, serious incident and incident, about the dangerous goods aboard the aircraft;
- (7) Other activities on behalf of the operator under the authorization related to the transport of dangerous goods by air shall comply with the requirements of these Regulations and the Technical Instructions.

**Article 75** When an operator authorizes a cargo sales agent and ground handling agent to perform engaged in the transport of dangerous goods by air on behalf of the operator, the operator shall require the agent, in the agency service agreement, to include the inspection on cargo acceptance or taking effective measures to prevent hidden dangerous goods concealed in the cargo. The operator shall accept the cargo inspection and related procedures established by agent and check periodically.

## **Section 2 Responsibilities of operator's agent**

**Article 76** Agent of operators in these Regulations refers to an enterprise which locates in China and is engaged in the transport of dangerous goods by air on behalf of the operator, including cargo sales agent, ground handling agent and other enterprise engaged in the transport of dangerous goods by air on behalf of the operator.

**Article 77** Cargo sales agent engaged in cargo sales activities on behalf of the operator shall sign the cargo sales agreement including the contents of the transport of dangerous goods by air with the operator.

**Article 78** Cargo sales agent shall not offer dangerous goods consignment(s) as a shipper or on behalf of the shipper.

**Article 79** Ground handling agent shall fulfill the following requirements no matter it is involved in the transport of dangerous goods by air or not:

- (1) Holding Business License For Enterprise's Legal Person;
- (2) Establishing dangerous goods training program approved by the regional CAAC;

- (3) Ensuring its personnel have been trained and passed in accordance with these Regulations and the Technical Instructions;
- (4) Signing the ground handling agreement including the contents of the transport of dangerous goods by air with the operator;
- (5) Establishing management procedures of the transport of dangerous goods by air including the ground emergency response procedures and measures;
- (6) Holding dangerous goods manual provided or accepted by the operator;
- (7) Other conditions as stipulated by the CAAC.

**Article 80** Ground handling agent involved in the transport of dangerous goods by air shall fulfill the following requirements in addition to the provisions of Article 79 of these Regulations:

- (1) Establishing dangerous goods security measures in compliance with the Technical Instructions;
- (2) The storage of dangerous goods meets the requirements of storage, separation and segregation in compliance with the provisions of the Technical Instructions;
- (3) Ensuring that its employees fully understand their relevant responsibilities as outlined in the dangerous goods manual when fulfilling their obligations as well as to ensure that the operation and the transport of dangerous goods by air will be in accordance with the procedure and guidelines in the dangerous goods manual.

**Article 81** The ground handling agent shall file with local regional CAAC. The regional CAAC shall complete the filing process for ground handling agent, and announce in public within 20 days after receiving the filing.

**Article 82** The ground handling agent acting on the operator's behalf involved in the transport of dangerous goods by air is subject to the provisions of operator's responsibilities prescribed in these Regulations.

## Chapter 8

### Dangerous goods transport information

**Article 83** Before departure of the aircraft, the operator of an aircraft in which dangerous goods are to be carried must provide the pilot-in-command with the written information as required by the Technical Instructions.

**Article 84** An operator must provide such information in the operations manual as will enable flight crew to carry out their responsibilities with regard to the transport of dangerous goods, also to provide instructions as the action to be taken in the event of emergency involving dangerous goods.

**Article 85** An operator must ensure that information on the types of dangerous goods which a passenger is forbidden to transport aboard an aircraft is provided at the point of ticket purchase. Information provided via the internet may be in text or pictorial form but must be such that ticket purchase cannot be completed until the passenger has indicated that they have understood the restrictions on dangerous goods in baggage.

**Article 86** An operator shall have information on those dangerous goods which may be carried by passenger in accordance with the Technical Instructions made available prior to the check-in process on their websites or other sources of information. When the check-in process is completed via the internet, the operator must ensure that information on the types of dangerous goods which a passenger is forbidden to transport aboard an aircraft is provided to passengers. Information may be text or pictorial form but must be such that the check-in process cannot be completed until the passenger has indicated that they have understood the restrictions on dangerous goods in baggage.

In the case where the passenger is using the self-check-in process, the operator must ensure that information on the types of dangerous goods which a passenger is forbidden to transport aboard an aircraft is provided to passengers. Information must be in pictorial form and shall be such that the check-in process cannot be completed until the passenger has indicated that they have understood the restrictions on dangerous goods in baggage.

**Article 87** An operator and the airport operator must ensure that notices warning passengers of the types of dangerous goods which they are forbidden to transport aboard an aircraft are prominently displayed, in sufficient number, at each of the places at an airport where tickets are issued, passengers are checked in and aircraft boarding areas are maintained, and at any other location where passengers are checked in. These notices must include visual examples of dangerous goods forbidden from transport aboard an aircraft.

**Article 88** Operator, cargo sales agent and ground handling agent must ensure that notices giving information about the transport of dangerous goods are sufficient in number, prominently displayed and provided at a visible location(s) at the cargo or mail acceptance points to alert shippers/agents about any dangerous goods that may be contained in their consignments. These notices must include visual examples of dangerous goods.

**Article 89** Operator, shipper and airport operator engaged in the transport of dangerous goods must provide such information to employees as will enable them to carry out their responsibilities with regard to the transport of dangerous goods, also to provide instructions as the action to be taken in the event of

emergency involving dangerous goods.

**Article 90** If an in-flight emergency occurs, the pilot-in-command must, as soon as the situation permits, in accordance with the requirements of the Technical Instructions, inform the appropriate air traffic control unit, for the information of aerodrome authority, of any dangerous goods carried as cargo on board on aircraft.

**Article 91** In the event of an aircraft accident or a serious incident where dangerous goods carried as cargo may be involved, the operator of the aircraft carrying dangerous goods as cargo must, without delay, provide information about the dangerous goods on board to emergency services, the appropriate authorities of the State of the Operator and the State in which the accident or serious incident occurred.

In the event of an aircraft incident that involves the carriage of dangerous goods, the operator of an aircraft carrying dangerous goods as cargo must, without delay, provide to emergency services responding to the incident and to the appropriate authority of the State in which the incident occurred, information about the dangerous goods on board.

Information provided shall be the same as shown on the copy of the information provided to pilot-in-command.

**Article 92** An operator must report dangerous goods accidents or incidents to the appropriate authorities of the State of the Operator and the State in which the accident or incident occurred.

The initial report could be submitted by different methods, but a written report shall be provided as soon as possible.

Whenever possible this information shall include the following items, with the copy of relevant documents and photos:

- (1) Date of the accident or incident;
- (2) Location, flight number and flight date of the accident or incident;
- (3) Description of the goods and the number of airway bills, mail bags, baggage tags and tickets;
- (4) The identified proper shipping name(including technical name) and UN number;
- (5) Class or division and the subsidiary risk;
- (6) Type and specification of the packaging;
- (7) Quantity;
- (8) The name and address of shipper or passenger;
- (9) Other detailed information about the accident or incident;

- (10) The suspected cause of the accident or incident;
- (11) Measures that have been taken;
- (12) Other report information before the written report;
- (13) The name, title, address and telephone number of the person who reports.

**Article 93** An operator must report any occasion when undeclared or misdeclared dangerous goods are discovered in cargo or mail. Such a report must be made to the appropriate authorities of the State of the Operator and the State in which this occurred. An operator must also report any occasion when dangerous goods not permitted by the technical Instructions are discovered in baggage, such a report must be made to the appropriate authority of the State

## Chapter 9

### Training

#### Section 1 General requirements

**Article 94** Personnel involved in the transport of dangerous goods must be trained and complete satisfactorily the training in accordance with these Regulations and the Technical Instructions.

**Article 95** The training to personnel involved in the transport of dangerous goods shall be conducted by dangerous goods training organizations that comply with these Regulations. Whether or not the operator holds the permit for the transport of dangerous goods, the operator shall ensure the relevant personnel have been trained and passed the training in accordance with these Regulations and the Technical Instructions.

#### Section 2 Dangerous goods training programs

**Article 96** In accordance with the Technical Instructions, the following enterprise or organizations shall hold dangerous goods training programs if training is to be conducted:

- (1) Shippers of dangerous goods, enterprises or organizations act as the agent of shippers;
- (2) Domestic operators;
- (3) Cargo sales agents;
- (4) Ground handling agents;
- (5) Enterprises involved in the civil aviation security check.

The dangerous goods training organization could establish training programs



on behalf of the enterprise or organization above, but shall obtain approval from the client before implementation of the training programs.

**Article 97** Dangerous goods training programs must be established commensurate with the responsibilities of the personnel, and each training program should include initial and recurrent two categories, and in compliance with the Technical Instructions.

**Article 98** The training programs shall include, at least the following contents:

- (1) Statement that the programs are in compliance with these Regulations and the Technical Instructions,
- (2) Training curricula and requirement for examination;
- (3) The enrolment requirements of the trainee and 'qualify requirement' after the training;
- (4) The list of training facilities and equipment used;
- (5) Qualification requirement of instructor;
- (6) Training material;
- (7) Other requirement of national laws and regulations.

The training programs of the operator, cargo sales agent and ground handling agent shall include the requirement of 'How to Use' the dangerous goods operation manuals, or the dangerous goods operation manual of the operator.

**Article 99** The training programs of the enterprise or organization in article 96(1) shall be filed to regional CAAC before implementation.

The training programs of the enterprise or organization in article 96 (2), (4), and (5), shall be approved by regional CAAC before implementation.

The training programs of the enterprise or organization in article 96 (3), shall be accepted by the operator before implementation.

**Article 100** The training programs shall be revised and updated in time and be filed and approved by regional CAAC or accepted by operator in accordance with article 99.

### **Section 3 Training curricula**

**Article 101** The enterprise or organization that establishes and maintain dangerous goods training programs shall organize training curricula in accordance with the training programs. The training curricula shall include:

- (1) general familiarization training: which must be aimed at providing familiarity with general provisions;
- (2) function-specific training: which must provide detailed training in the

- requirements applicable to the function for which that person is responsible,  
and
- (3) safety training: which must cover the hazards presented by dangerous goods, safe handling and emergency response procedures.

**Article 102** The training curricula shall specify the detailed content of the training, training hours and requirement for examination.

**Article 103** The training materials shall comply with the requirements in national laws, regulations and the Technical Instructions.

#### **Section 4 Training requirements**

**Article 104** The personnel of the ground handling agent or the personnel of the cargo sales agent who have successfully completed the training by a training organization that complies with these Regulations in accordance with the approved training programs may carry out the same job function on behalf of different operators. The operator shall ensure the personnel meet the following conditions:

- (1) within the same job function, the training level is commensurate with the job designated;
- (2) comply with the requirements in the dangerous goods manual of the operator.

**Article 105** The foreign operator shall ensure its personnel involved in the transport of dangerous goods in China, to be trained and passed the training, in compliance with one of the requirements below:

- (1) the training programs or other equivalent documents approved or accepted by the State of the Operator, as well as relevant requirements of Chinese laws and regulations on the transport of dangerous goods by air;
- (2) the training program approved by regional CAAC as well as the variation of the foreign operator.

**Article 106** Recurrent training must be taken within 24 months of previous training to ensure knowledge is current.

If recurrent training is completed within the final three months of validity of previous training, the period of validity extends from the month on which the recurrent training was completed until 24 months from the expiry month of that previous training.

**Article 107** A training record must be retained for at least three years and shall be available to the CAAC or regional CAAC upon request. The training record shall include:

- (1) the individual's name;
- (2) the most recent training completion month;
- (3) a description to training materials used;
- (4) the name and address of the organization providing the training;
- (5) the name of the instructor;
- (6) the score of the examination;
- (7) evidence which shows that a test has been completed satisfactorily.

## **Section 5 Dangerous goods training organization**

**Article 108** The enterprise or organization that establishes and implements training programs could establish training organization.

Enterprise or organization that is not capable of establishing training organization, could entrust training organization established in accordance with these Regulations to implement training according to approved, filed or accepted training programs of the enterprise or organization.

**Article 109** The implementation of training by training organization shall be in accordance with the following conditions, and filed to the CAAC:

- (1) be a legal entity
- (2) have the approved, filed or accepted initial and recurrent training programs provided by the client, as well as the training curricula and training material designed for the client;
- (3) have at least three instructors who meet the requirement of these Regulations;
- (4) have the necessary training facility and equipment for training.

Within 20 days upon the receipt of the filling application, the CAAC should complete the filling process for dangerous goods training organization, and announce in public.

**Article 110** Training organization established to provide training for its own employees, does not need to meet the requirements in article 109 (1) and (2).

**Article 111** the instructor of the dangerous goods training organization shall meet the following requirements:

- (1) be familiar with laws, regulations, rules and policies of civil aviation;
- (2) engaged in the aviation related activity for at least five years;
- (3) with a diploma of junior college or above;
- (4) have successfully completed an approved dangerous goods training program in the Category 6, and passed with distinction;
- (5) have adequate instructional skills;
- (6) with English level that could understand the relevant dangerous goods

- transport regulations of ICAO;
- (7) Other conditions as stipulated by the CAAC.

The instructor of training organization established to provide training for its own employees, do not need to meet the requirement of this article.

**Article 112** Training organization established to provide training for its own employees, the instructor shall meet the following requirements:

- (1) be familiar with laws, regulations, rules and policies of civil aviation;
- (2) the instructor shall be the employee of the enterprise;
- (3) engaged in the aviation related activity for at least three years;
- (4) have successfully completed an approved dangerous goods training program in the Category 6, and passed with distinction;
- (5) have adequate instructional skills and passed the evaluation;
- (6) Other conditions as stipulated by the CAAC.

**Article 113** The instructor of the training organization shall be registered to only one training organization, and shall at least every 24 months deliver such course, or in the absence of this attend recurrent training.

**Article 114** Training organization shall establish training record for the trainee in accordance with article 107. The record shall be retained for at least three years and be available to the CAAC or regional CAAC upon request.

## Chapter 10

### Other requirements

**Article 115** Operator, ground handling agent, cargo sales agent, shipper and shipper's agent involved in the transport of dangerous goods by air, shall implement necessary measures to minimize theft or misuse of dangerous goods that may endanger persons or property.

**Article 116** Shipper and Operator involved in the transport of high consequence dangerous goods shall adopt a security plan. The security plan shall be updated to maintain practicability and validity.

High consequence dangerous goods are those which have the potential for misuse in a terrorist event and which may, as a result, produce serious consequences such as mass casualties or mass destruction.

**Article 117** The Operations Specifications of domestic operators shall include the content of transport of dangerous goods.

**Article 118** Aerodrome authority shall establish dangerous goods emergency rescue plan, which shall be included in the civil aviation airport emergency rescue plan, and executed in accordance with Civil Aviation Emergency Rescue Plan Management Rules.

**Article 119** Aerodrome authority shall update the dangerous goods emergency rescue plan to ensure practicability and validity.

Aerodrome authority shall include dangerous goods management and dangerous goods emergency rescue plan in the Civil Aviation Aerodrome Manual.

**Article 120** The requirements and procedures of investigation to aircraft accident, serious incident and incident, shall include the details of dangerous goods involved.

**Article 121** The operator, cargo sales agent, ground handling agent, shipper and shipper's agent involved in the transport of dangerous goods by air, shall report, to the department responsible for the investigation of aircraft accident, serious incident and incident, about the dangerous goods aboard the aircraft.

## Chapter 11

### Supervision management

**Article 122** The civil aviation administration, shall in accordance with the responsibility, implement supervision and inspection to the transport of dangerous goods by air.

The regional CAAC shall inspect periodically entities engaged in the transport of dangerous goods by air within the region. Findings discovered during the inspection shall be handled in time and reported to the CAAC.

**Article 123** When inspecting the entities engaged in the transport of dangerous goods, the civil aviation administration is entitled to:

- (1) enter the premises or other locations of the enterprise or organization for inspection; request statement from operator, stakeholder, or other relevant enterprise or organization; review and copy relevant papers and documents.
- (2) correct the acts violating the statutory provisions of law in the inspections or demand for correction within a prescribed time limit; to make decisions of

- administrative penalties according to the provisions of these Regulations and other relevant laws and regulations to those acts that shall be subject to administrative penalties according to law;
- (3) request relevant enterprise or organization to retain the items in good manner for continuous investigation for cargo, mail and baggage that are potentially involved in dangerous goods transport accident, incident and discrepancy;
- (4) detain the dangerous goods transported in violation of laws, with the approval of the responsible person in the civil administration aviation.

**Article 124** The civil aviation administration establishes whistle-blowing policy in accordance with its responsibility, accepts the whistle-blowing about the transport of dangerous goods, announces to public of the telephone number, mail box or email address.

**Article 125** Enterprise, organization and person involved in the transport of dangerous goods by air shall accept and cooperate with the inspection by the civil aviation administration.

**Article 126** When inspecting, the civil aviation administration shall not obstruct the normal business of enterprise, organization or person inspected, shall not request or receive any property and unjustified benefit from the enterprise, organization or person inspected.

**Article 127** The letter of permit for the transport of dangerous goods shall not be obliterated, lent, sold or transferred.

When the letter of permit for the transport of dangerous goods is lost or damaged, the holder shall report to the issuing regional CAAC, make announcement of being voided through media, and then apply for a new letter of permit from the issuing regional CAAC.

**Article 128** Operator shall ensure its operating conditions continuously meet the requirement for dangerous goods permit.

When operators' operating conditions change and can no longer operate safely, the civil aviation administration shall revoke the dangerous goods permit in accordance with the Production Safety Law of the People's Republic of China.

**Article 129** Operator and its agent engaged in the transport of dangerous goods by air shall report the information on the transport of dangerous goods to the civil aviation administration.

**Article 130** The civil aviation administration shall establish record system for

dangerous goods transport in violation. The operator shall implement more restrictive acceptance checking procedure for partners who have violation record to avoid the occurrence of dangerous goods accident.

**Article 131** Any enterprise, organization or person is entitled to report or whistle-blow to the CAAC or regional CAAC about any dangerous goods transport violation or discrepancy. When the report or whistle-blowing is in written form and the relevant fact and evidence are provided, the CAAC or regional CAAC shall investigate accordingly.

## Chapter 12

### Legal Liabilities

**Article 132** When shipper or shipper's agent committed any act below, the civil aviation administration shall give warning or impose a fine of not more than RMB30,000:

- (1) in violation of these Regulations, did not classify the dangerous goods consigned as required;
- (2) in violation of these Regulations, did not pack the dangerous goods consigned as required;
- (3) in violation of these Regulations, did not mark the dangerous goods consigned as required;
- (4) in violation of these Regulations, did not label the dangerous goods consigned as required;
- (5) in violation of these Regulations, did not provide dangerous goods transport documents as required;
- (6) in violation of these Regulations, to transport dangerous goods that are forbidden;
- (7) in violation of these Regulations, to consign dangerous goods that subject to national laws or regulations, but did not meet the requirements;
- (8) in violation of article 53, did not retain relevant documents;
- (9) in violation of article 89, did not provide relevant information or guidance to the employee.

**Article 133** When operator committed any act below, the civil aviation administration shall give a warning or impose a fine of not more than RMB30,000:

- (1) in violation of article 7, to transport dangerous goods not in compliance with the Technical Instructions;
- (2) in violation of article 8 or article 14, to transport dangerous goods without approval, exemption, dangerous goods permit or did not transport dangerous goods in accordance with the description of the permit;

- (3) in violation of article 20, 25, 31 or 36, provided untruthful material when applying for dangerous goods permit, or did not report to regional CAAC for approval when the material or the content of the material has changed;
- (4) in violation of article 39, did not provide dangerous goods transport manual as required;
- (5) in violation of article 41, did not take necessary measures to ensure its employee, cargo sales agent and ground handling agent to understand the dangerous goods transport manual;
- (6) in violation section 1 of chapter 7, did not meet the requirements on responsibility of the operator;
- (7) in violation of chapter 8, did not provide dangerous goods transport information as required;
- (8) in violation of article 127, to obliterate, lend, sell or transfer the letter of permit for dangerous goods transport, or did not report in time when the permit is lost or damaged;
- (9) in violation of article 129, did not report the information about dangerous goods transport.

For act of (1) and (2) of this article, when with serious scenario, the illegal earning shall be confiscated, and should be fined with the amount not more than the earning.

For act of (3) of this article, provided with untruthful material and obtain the dangerous goods permit in a deceptive way, the permit shall be revoked.

**Article 134** When cargo sales agent committed any act below, the civil aviation administration shall give a warning or impose a fine of not more than RMB30,000:

- (1) in violation of article 77, involved in the transport of dangerous goods by air;
- (2) in violation of article 78, to tender dangerous goods as shipper or shipper's agent.

**Article 135** When ground handling agent has one of the act below, the civil aviation administration shall give a warning or impose a fine of not more than RMB30000:

- (1) in violation of article 79,80 or 81, engaged in the transport of dangerous goods by air;
- (2) in violation of article 88, did not provide dangerous goods transport information as required;
- (3) in violation of article 129, did not report dangerous goods transport information as required.

When ground handling agent engages in the transport of dangerous goods on behalf of operator violates these Regulations, article 133(6) applies.



**Article 136** When aerodrome authority committed any act below, the civil aviation administration shall give a warning or impose a fine of not more than RMB30,000:

- (1) in violation of article 87 or 89, did not provide dangerous goods transport information as required;
- (2) in violation of article 118 or 119, did not establish or update dangerous goods emergency rescue plan.

**Article 137** When shipper or shipper's agent, operator, cargo sales agent, ground handling agent, enterprise involved in the security check or training organization violates chapter 9, did not meet the requirements of training, the civil aviation administration shall give a warning or impose a fine of not more than RMB30,000.

**Article 138** When shipper or shipper's agent, operators, or ground handling agent violates article 115, did not take necessary measures to prevent the theft or misuse of dangerous goods, the civil aviation administration shall give a warning or impose a fine of not more than RMB30,000.

**Article 139** When shipper or operator engaged in the transport of high consequence dangerous goods violates article 116, did not establish or update the security plan, the civil aviation administration shall give a warning or impose a fine of not more than RMB30,000.

**Article 140** Shipper or shipper's agent, operator or ground handling agent violates article 121, did not report the information of dangerous goods aboard the aircraft, the civil aviation administration shall give a warning or impose a fine of not more than RMB30,000.

**Article 141** Enterprise, organization or person engaged in the transport of dangerous goods violates article 125, did not accept or cooperate with the inspection, the civil aviation administration shall give a warning or impose a fine of not more than RMB30,000.

**Article 142** Enterprise, organization or person engaged in the transport of dangerous goods is subject to criminal liabilities when in violation of these Regulations which results in a crime.

## Chapter 13

### Supplementary provisions

**Article 143** The period in these Regulations refers to working days, and holidays are not included.

**Article 144** The provisions of these Regulations for foreign operator apply when operator registered in Hong Kong Special Administrative Region, Macao Special Administrative Region and Taiwan region applies for dangerous goods permit.

**Article 145** These Regulations come into effect on 1 March 2014, and the Regulation on the Transport of Dangerous Goods by Air announced in 12 July 2004 is to be abolished simultaneously.