

Civil Aviation Authority of Bangladesh

Gazette

Dhaka, December 2023

In exercise of the power conferred by Section 47, read with Section 14 of the Civil Aviation Act 2017(Act No.18 of 2017), hereinafter referred as the “Act”, the Chairman of Civil Aviation Authority of Bangladesh is pleased to issue the following Air Navigation Order ANO18- Safe Transportation of Dangerous Goods by Air.

It shall come into force with immediate effect.

1. Short title, extent and application –

(1) This ANO may be called the ANO 18 (Safe Transportation of Dangerous Goods by Air).

(2) Provision of this ANO extend to whole of Bangladesh and apply also –

(a) to aircraft registered in Bangladesh or aircraft operated by an operator who has his principal place of business or permanent place of residence in Bangladesh, wherever they may be;

(b) to all aircraft for the time being in or over Bangladesh; and

(c) to persons operating air transport services to, from, within and over Bangladesh, shippers of dangerous goods or their agents.

(3) They shall come into force on the date of their final publication in the Official Gazette.

2. Definitions

When the following terms are used in this ANO, they have the following meanings:

- i. **Appropriate national authority.** Any authority designated, or otherwise recognized, by a State to perform specific functions related to provisions contained in these Instructions.

- ii. **Approval.** An authorization granted by an appropriate national authority for:
 - a) the transport of dangerous goods forbidden on passenger and/or cargo aircraft where the Technical Instructions state that such goods may be carried with an approval; or
 - b) other purposes as provided for in the Technical Instructions.
- iii. **Cargo aircraft.** Any aircraft, other than a passenger aircraft, which is carrying goods or property.
- iv. **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.
- v. **Crew member.** A person assigned by an operator to duty on an aircraft during a flight duty period.
- vi. **Dangerous goods.** Articles or substances which are capable of posing a hazard 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.
- vii. **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.
- viii. **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 constitute a dangerous goods incident.
- ix. **Designated postal operator.** Any governmental or non-governmental entity officially designated by a Universal Postal Union (UPU) member country to operate postal services and to fulfil the related obligations arising from the acts of the UPU Convention on its territory.
- x. **Exception.** A provision in this Annex which excludes a specific item of dangerous goods from the requirements normally applicable to that item.
- xi. **Exemption.** An authorization, other than an approval, granted by an appropriate national authority providing relief from the provisions of the Technical Instructions.

- xii. **Flight crew member.** A licensed crew member charged with duties essential to the operation of an aircraft during a flight duty period.
- xiii. **Operator.** A person, organization or enterprise engaged in or offering to engage in an aircraft operation.
- xiv. **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.
- xv. **Package.** The complete product of the packing operation consisting of the packaging and its contents prepared for transport.
- xvi. **Packaging.** Receptacles and any other components or materials necessary for the receptacle to perform its containment function.
- xvii. **Passenger aircraft.** An aircraft that carries any person other than a crew member, an operator's employee in an official capacity, an authorized representative of an appropriate national authority or a person accompanying a consignment or other cargo.
- xviii. **Pilot-in-command.** The pilot designated by the operator, or in the case of general aviation, the owner, as being in command and charged with the safe conduct of a flight.
- xix. **Safety management system (SMS).** A systematic approach to managing safety, including the necessary organizational structures, accountabilities, policies and procedures.
- xx. **Serious injury.** An injury which is sustained by a person in an accident and which:
 - a) requires hospitalization for more than 48 hours, commencing within seven days from the date the injury was received; or
 - b) results in a fracture of any bone (except simple fractures of fingers, toes or nose); or
 - c) involves lacerations which cause severe haemorrhage, nerve, muscle or tendon damage; or
 - d) involves injury to any internal organ; or
 - e) involves second or third degree burns, or any burns affecting more than 5 per cent of the body surface; or
 - f) involves verified exposure to infectious substances or injurious radiation.
- xxi. **State of Destination.** The State in the territory of which the consignment is finally to be unloaded from an aircraft.
- xxii. **State of Origin.** The State in the territory of which the consignment is first to be loaded on an aircraft.

- xxiii. **State of the Operator.** The State in which the operator's principal place of business is located or, if there is no such place of business, the operator's permanent residence.
- xxiv. **Technical Instructions.** The 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.
- xxv. **UN number.** The four-digit number assigned by the United Nations Committee of Experts on the Transport of Dangerous Goods and on the Globally Harmonized System of Classification and Labelling of Chemicals to identify an article or substance or a particular group of articles or substances.
- xxvi. **Unit load device.** Any type of freight container, aircraft container, aircraft pallet with a net, or aircraft pallet with a net over an igloo.

3. Carriage of dangerous goods by air. –

3.1 No operator shall engage in the carriage of dangerous goods unless it has been certified by the aeronautical authority of the State of the operator to carry the dangerous goods.

3.2 No operator shall carry and no person shall cause or permit to be carried in any aircraft to, from, within or over Bangladesh or deliver or cause to be delivered for loading on such aircraft any dangerous goods, except in accordance with and subject to the requirements specified in the Technical Instructions:

Provided that dangerous goods classified as explosives shall not be carried in any aircraft to, from, within or over Bangladesh except in accordance with and subject to the terms and conditions of a permission in writing granted by the Government.

Provided further that where dangerous goods classified as radioactive material are to be carried in any aircraft to, from or within Bangladesh, the operator shall ensure that the consignor or the consignee, as the case may be, has written consent of the Bangladesh Atomic Energy Regulatory Authority (BAERA) to carry such goods under BAERA Act (Act No 19 of 2012).

Provided also that where there is extreme emergency such as national or

international crisis or natural calamities or otherwise necessitating transportation by air of such goods and full compliance with the requirements specified in the Technical Instructions may adversely affect the public interest, the Chairman or any other officer authorized in this behalf by him may, by general or special order in writing, grant exemption from complying with these requirements provided that he is satisfied that every effort has been made to achieve an overall level of safety in the transportation of such goods which is equivalent to the level of safety specified in the Technical Instructions.

3.3 Notwithstanding anything contained in sub-rule (3.2), the articles and substances that are specifically identified by name or by generic description in the Technical Instructions as being forbidden for transport by air under any circumstances, shall not be carried on any aircraft.

3.4 The provisions of sub-rules (3.1) and (3.2) shall not apply to-

3.4.1 the articles and substances classified as dangerous goods but otherwise required to be on board the aircraft in accordance with the pertinent airworthiness requirements and the operating regulations, or for such specialised purposes as are identified in the Technical Instructions.

3.4.2 specific articles and substances carried by passengers or crew members to the extent specified in the Technical Instructions.

3.5 Where dangerous goods are carried under sub-rule (3.2), it shall be the duty of the shipper, the operator and every person concerned with packing, marking, labelling, acceptance, handling, loading, unloading, storage, transportation or any other process connected directly or indirectly with carriage of such dangerous goods, to take all precautions to avoid danger to the aircraft or to the persons on board or to any other person or property.

3.6 If none of the criteria for granting an exemption are relevant, an exemption may be granted based solely on whether it is believed that an equivalent level of safety in air transport has been achieved.

3.7 Difficulties encountered in the application of the Technical Instructions and of any

amendments which it would be desirable to make to them, shall be informed to ICAO.

3.8 If for some reason implementation of an amendment to the Technical Instructions with an immediate applicability for reasons of safety is delayed, the movement of dangerous goods which are consigned from another Contracting State shall be facilitated in Bangladesh in accordance with that amendment, providing the goods comply in total with the revised requirements.

3.9 Where articles and substances intended as replacements for those described in para 3.4 or which have been removed for replacement are carried on an aircraft, they shall be transported in accordance with the provisions of this ANO except as permitted in the Technical Instructions.

3.10 Specific articles and substances carried by passengers or crew members shall be excepted from the provisions of this ANO to the extent specified in the Technical Instructions.

3.11 Notification of variations from the Technical Instructions

3.11.1) Where provisions different from those specified in the Technical Instructions are adopted, ICAO shall be notified promptly of such ~~State~~ variations for publication in the Technical Instructions.

3.11.2) Operators shall take measures as appropriate, in case an operator adopts more restrictive requirements than those specified in the Technical Instructions, to ensure that the notification of such operator variations is made to ICAO for publication in the Technical Instructions.

3.12 Specific articles and substances carried by passengers or crew members shall be excepted from the provisions of this ANO to the extent specified in the Technical Instructions.

4. CLASSIFICATION OF DANGEROUS GOODS

The classification of an article or substance shall be in accordance with the provisions of the Technical Instructions.

5. PACKING

5.1 General requirements

Dangerous goods shall be packed in accordance with the provisions of this chapter and as provided for in the Technical Instructions.

5.2 Packagings

5.2.1) Packagings used for the transport of dangerous goods by air shall be of good quality and shall be constructed and securely closed so as to prevent leakage which might be caused in normal conditions of transport, by changes in temperature, humidity or pressure, or by vibration.

5.2.2) Packagings shall be suitable for the contents. Packaging's in direct contact with dangerous goods shall be resistant to any chemical or other action of such goods.

5.2.3) Packagings shall meet the material and construction specifications in the Technical Instructions.

5.2.4) Packagings shall be tested in accordance with the provisions of the Technical Instructions.

5.2.5) Packagings for which retention of a liquid is a basic function, shall be capable of withstanding, without leaking, the pressure stated in the Technical Instructions.

5.2.6) Inner packagings shall be so packed, secured or cushioned as to prevent their breakage or leakage and to control their movement within the outer packaging(s) during normal conditions of air transport. Cushioning and absorbent materials shall not react dangerously with the contents of the packagings.

5.2.7) No packaging shall be reused unless: -

i) it has been inspected and found free from corrosion or other damage; and

ii) all necessary measures shall be taken to prevent contamination of subsequent contents.

5.2.8) If, because of the nature of their former contents, uncleaned empty packagings may present a hazard, they shall be tightly closed and treated according to the hazard they constitute.

5.2.9) No harmful quantity of a dangerous substance shall adhere to the outside of packages.

6. LABELLING AND MARKING

6.1 Labels

Unless otherwise provided for in the Technical Instructions, each package of dangerous goods shall be labeled with the appropriate labels and in accordance with the provisions set forth in those Instructions.

6.2 Markings

6.2.1 Unless otherwise provided for in the Technical Instructions, each package of dangerous goods shall be marked with the proper shipping name of its contents and, when assigned, the UN number and such other markings as may be specified in those Instructions.

6.2.2 Specification markings on packagings. Unless otherwise provided for in the Technical Instructions, each packaging manufactured to a specification contained in those Instructions shall be so marked in accordance with the appropriate provisions of those Instructions and no packaging shall be marked with a packaging specification marking unless it meets the appropriate packaging specification contained in those Instructions.

6.2.3 Languages to be used for markings

English shall be used for the markings related to dangerous goods.

7. SHIPPER'S RESPONSIBILITIES

7.1 General requirements

No shipper or his agent shall offer any package or overpack of dangerous goods for transport by air unless he has ensured that such dangerous goods are not forbidden for transport by air and are properly classified, packed, marked, labeled and accompanied by a properly executed dangerous goods transport document, as specified in the Technical Instructions.

7.2 Dangerous goods transport document

7.2.1 Unless otherwise provided for in the Technical Instructions, the person who offers dangerous goods for transport by air shall complete, sign and provide to the operator a dangerous goods transport document, which shall contain the information required by those Instructions.

7.2.2 The transport document shall bear a declaration signed by the person who offers dangerous goods for transport indicating that the dangerous goods are fully and accurately described by their proper shipping names and that they are classified, packed, marked, labelled, and in proper condition for transport by air in accordance with the relevant regulations.

7.3 Languages to be used

English shall be used for the dangerous goods transport document.

8. OPERATOR'S RESPONSIBILITIES

8.1 Acceptance for transport

8.1.1 No operator shall accept dangerous goods for transport by air:

- i) unless the dangerous goods are accompanied by a completed dangerous goods transport document, except where the Technical Instructions indicate that such a document is not required; and
- ii) until the package, overpack or freight container containing the dangerous goods has been inspected in accordance with the acceptance procedures contained in the Technical Instructions.

8.2 Acceptance checklist

The operator shall ensure that an acceptance check-list as required by the Technical Instructions has been developed and is being used by his acceptance staff.

8.3 Loading and stowage

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

8.4 Inspection for damage or leakage

8.4.1 Packages and over-packs 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.

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

8.4.3 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 an appropriate authority or 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.

8.4.4 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.

8.5 Loading restrictions in passenger cabin or on flight deck

No dangerous goods shall 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.

8.6 Removal of contamination

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

8.6.2 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.

8.7 Separation and segregation

8.7.1 Packages containing dangerous goods which might react dangerously one with another 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.

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

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

8.8 Securing of dangerous goods cargo loads

When dangerous goods subject to the provisions contained 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 8.7.3 are met at all times.

8.9 Loading on cargo aircraft

Packages of dangerous goods bearing the “Cargo aircraft only” label shall be loaded in accordance with the provisions in the Technical Instructions.

8.10 Retention of Records

Operator shall retain the following records, as a minimum, for a period as specified in the ICAO TI:

- i) NOTOC;
- ii) Tainting Records;
- iii) Dangerous Goods Transport Documents; and
- iv) Any other record as specified by Chairman by promulgation of order

8.11 Manuals and Procedure

8.11.1 Operator shall develop dangerous goods manual containing process and procedure for all aspect of Dangerous Goods.

10. PROVISION OF INFORMATION

10.1 Information to pilot-in-command

The operator of an aircraft in which dangerous goods are to be carried shall provide the pilot-in-command as early as practicable before departure of the aircraft with written information as specified in the Technical Instructions.

10.2 Information and instructions to flight crewmembers

The operator shall provide such information in the Operations Manual as will enable the flight crew to carry out its responsibilities with regard to the transport of dangerous goods and shall provide instructions as to the action to be taken in the event of emergencies arising involving dangerous goods.

10.3 Information to passengers

Operator shall ensure that information is promulgated in such a manner that passengers are warned as to the types of dangerous goods which they are forbidden from transporting aboard an aircraft as provided for in the Technical Instructions.

10.4 Information to other persons

Operators, shippers or other organizations involved in the transport of dangerous goods by air shall provide such information to their personnel as will enable them to carry out their responsibilities with regard to the transport of dangerous goods and shall provide instructions as to the action to be taken in the event of emergencies arising involving dangerous goods.

10.5 Information from pilot-in-command to aerodrome authorities

If an in-flight emergency occurs, the pilot-in-command shall, as soon as the situation permits, inform the appropriate air traffic services unit, for the information of aerodrome authorities, of any dangerous goods on board the aircraft, as provided for in the Technical Instructions.

10.6 Information in the event of an aircraft accident or incident

10.6.1 In the event of:

- i) an aircraft accident; or
- ii) a serious incident where dangerous goods carried as cargo may be involved, the operator of the aircraft carrying dangerous goods as cargo shall provide information, without delay, to emergency

services responding to the accident or serious incident about the dangerous goods on board, as shown on the written information to the pilot-in-command. As soon as possible, the operator shall also provide this information to the appropriate authorities of the State of the Operator and the State in which the accident or serious incident occurred.

10.6.2 In the event of an aircraft incident, the operator of an aircraft carrying dangerous goods as cargo shall, if requested to do so, provide information without delay to emergency services responding to the incident and to the appropriate authority of the State in which the incident occurred, about the dangerous goods on board, as shown on the written information to the pilot-in-command.

11. TRAINING PROGRAMMES

11.1 Establishment of training programmes

Initial and recurrent dangerous goods training programmes shall be established and maintained in accordance with the Technical Instructions

11.2 Approval of training programmes

11.2.1 Dangerous goods training programmes are required for all operators regardless of whether or not they are approved to transport dangerous goods and shall be approved by CAAB

11.2.2 Dangerous goods training programmes for designated postal operators shall be approved by the CAAB where the mail is accepted by the designated postal operator.

11.2.3 Dangerous goods training programmes required for entities who offers shipments for airtransportation, other than operators and designated postal operators should be approved by the CAAB.

12. COMPLIANCE

12.1 Inspection systems

To achieving compliance with the provisions of this ANO and ICAO TI, any function prescribed in this ANO and ICAO TI, related to air transport of dangerous goods performed by any entities, shall be subject to inspection, surveillance and enforcement

12.2 Dangerous goods by mail

The procedures of designated postal operators for controlling the introduction of dangerous goods in mail into air transport shall be approved by the CAAB.

13. DANGEROUS GOODS ACCIDENT AND INCIDENT REPORTING

13.1 With the aim of preventing the recurrence of dangerous goods accidents and incidents, CAAB shall establish procedures for investigating and compiling information concerning such accidents and incidents which occur in Bangladesh and which involve the transport of dangerous goods originating in or destined for another State. Reports on such accidents and incidents shall be made in accordance with the detailed provisions of the Technical Instructions.

13.2 With the aim of preventing the recurrence of dangerous goods accidents and incidents, CAAB shall establish procedures for investigating and compiling information concerning such accidents and incidents which occur in Bangladesh other than those described in 12.1. Reports on such accidents and incidents shall be made in accordance with the detailed provisions of the Technical Instructions.

13.3 With the aim of preventing the recurrence of instances of undeclared or misdeclared dangerous goods in cargo, CAAB shall establish procedures for investigating and compiling information concerning such occurrences which occur in Bangladesh and which involve the transport of dangerous goods originating in or destined for another State. Reports on such instances shall be made in accordance with the detailed provisions of the Technical Instructions.

13.4 With the aim of preventing the recurrence of instances of undeclared or misdeclared dangerous goods in cargo, CAAB shall establish procedures for investigating and compiling information concerning such occurrences which occur in Bangladesh other than those described in 13.3. Reports on such instances shall be made in accordance with the detailed provisions of the Technical Instructions.

14. DANGEROUS GOODS SECURITY PROVISIONS

CAAB shall establish dangerous goods security measures, applicable to shippers, operators and other individuals engaged in the transport of dangerous goods by air, to be taken to minimize theft or misuse of dangerous goods that may endanger persons, property or the environment. These measures shall commensurate with security provisions specified in the NCASP and the Technical Instructions.

15. APPLICATION FOR A DANGEROUS GOODS CERTIFICATE

(a) An operator applying to the Authority for an DGC shall submit an application — (1) in a form and manner prescribed by the Authority; and (2) containing any information the Authority requires the applicant to submit.

(b) Every applicant shall make the application for an initial issue of a DGC at least 90 days before the date of intended operation, except the Dangerous Goods Training Manual and the pertinent parts of the Operations Manual which may be submitted later than but not less than 60 days before the date of intended operation.

16. ISSUANCE OR DENIAL OF DANGEROUS GOODS CERTIFICATE (DGC)

16.1 The Authority may issue a DGC if, after investigation, the Authority finds that the applicant—

- (i) is a citizen of Bangladesh;
- (ii) has its principal place of business and its registered office, if any, located in Bangladesh;
- (iii) meets the applicable regulations and standards for the holder of a DGC;
- (iv) is properly and adequately equipped for safe operations for the transport by air of dangerous goods in commercial air transport ;

16.2 The Authority may deny application for a DGC if the Authority finds that —

- (i) the applicant is not properly and adequately equipped for safe operations for the transport by air of dangerous goods in commercial air transport;
- (ii) the applicant previously held a DGC, which was revoked; or
- (iii) an individual that contributed to the circumstances causing the revocation process of a DGC obtains a substantial ownership or is employed in a position required by this regulation.