

AC92-2, Revision 1, Carriage of Dangerous Goods

Precis of submissions and CAA's response:

Background

This AC was put up for consultation on the CAA website from 23 March and extended until 6 May 2022, after a sector group requested an extension.

We received 12 written submissions. Many of the comments were very positive and welcomed this update, which is the first in 15 years and first substantive update since 1995.

What we included

Where appropriate, we have incorporated editorial comments and suggestions to include specific items in the various tables. There were many editorial suggestions and typos picked, which we incorporated. Some of the submissions were also quite detailed, befitting the detail in the AC, we followed up by phone with some submitters to clarify their feedback.

What we considered and what we decided

It was suggested that we didn't need to quote or paraphrase individual rules in the AC, but we think this is useful. Our aim is to make this a standalone document, which participants can read without having to refer to another site or document for rule wording, something that could be difficult for people working in remote locations with limited internet access or reading on a single screen.

There were consistent comments about how we interpreted the rules, particularly the exceptions in 92.11(c), *Carriage of DG for the Recreational Use of a Passenger*. CAA agrees that it is a good idea to align the quantities suggested in the AC with the Technical Instructions (TIs) and/ or IATA Dangerous Goods Regulations (DGR) as an indication to participants that these are considered acceptable quantities. This has been done in Table 5.1, which is in alignment with the ICAO TIs.

It was suggested that we cut out some common material that appears at the top of each section. We considered this, but decided against it. Our aim is to make this a modular document, so participants who want to know about one aspect of Part 92, for example carriage of DG for medical aid, can get the information they need in the relevant section.

What we did not include and why

Many of the other suggestions were similar, for example:

- Repeating the rule in the AC should not be required. If there is a change to the rule, the AC will be reviewed but it should stand alone

Our response: We appreciate that Part 92 may be reviewed at some stage, but we would probably update this AC at that time

- Repeating the TIs should be avoided where possible to prevent the document becoming outdated.

Our response: CAA has referenced the most up-to-date edition at the time of publishing this AC, but acknowledges that TIs get reviewed regularly. CAA will endeavour to update this AC to reflect this, but participants also have a responsibility to check ICAO TIs.

Some suggestions were contrary to the rules and TIs, so could not be incorporated.

A number of items were suggested as additions to the list of DG, but did not meet the criteria for DG, so could not be added.

It was suggested that the IATA DGR are not relevant as they are not mandatory. CAA agrees that the ICAO TIs prescribe the mandatory requirements, but believes that references to the IATA DGRs are appropriate as many operators use them and find them a good example of best practice.

In some places, we have used slightly simplified wording (so long as it does not change meaning), used appropriate contractions or omitted some repeated words from a rule. There are some disparities in wording in some places (Act, Rule and TIs). We decided to opt for clarity and explain the difference and why we opted for a particular definition over another, where we believe it would help the reader's understanding.

Conclusion

The intent of this AC is to explain Part 92 and the ICAO TIs, and provide an acceptable means of compliance, to maintain and improve safety, not to reduce the safety guidelines around the carriage of DG.

There were some suggestions outside the scope of this AC, for example requesting rule changes and exemptions. Rules amendments are outside the scope of this AC, and subject to resource constraints, though participants can raise this as a regulatory issue through CAA Form 24011-01. Any suggestions to review the requirements of Part 92 would need to be supported by a strong safety case.

CAA would like to thank the participants for taking the time to provide valuable feedback, much of which enhanced this document.

We do have a more detailed list of comments, which is anonymised, that can be emailed on request.

If any participants are interested in this, please email info@caa.govt.nz, quoting **AC92-2 feedback** in the subject line, if possible.