



香港特別行政區政府  
民航處

Civil Aviation Department

The Government of the Hong Kong Special Administrative Region

## **Dangerous Goods Advisory Circular DGAC 3/2018**

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### **Implementation of Enhanced Control, Surveillance and Inspection Measures for Safe Transport of Dangerous Goods by Air**

The rapid expansion of the e-commerce industry and increasing use of lithium batteries in electronic products in recent years have posed a new safety concern to the air transport industry. The carriage of dangerous goods (“DG”), such as lithium batteries, by air that are not properly classified, packed, marked, labelled and declared are potential threats to aviation safety that may result in serious consequences.

2. To ensure aviation safety, and more specifically in this context, the safe transport of DG by air, and to proactively manage DG occurrences, this Department (“the CAD”) considers it necessary to **implement a new scheme to step up the control, surveillance and inspection on those shippers and freight forwarders who are involved in reported undeclared or mis-declared DG occurrences**. The new scheme will become effective as from **1 October 2018**.

#### **Applicability**

3. The scheme will be applicable to the shippers and freight forwarders, who have been involved in DG occurrences whereby undeclared or mis-declared DG was found in their cargo consignment, as specified below :-

- (i) the shipper (“**subject shipper**”) who tendered the consignment concerned to freight forwarder or airline for air carriage from Hong Kong. Details of the applicable measures on the subject shipper are given at Appendix 1; and
- (ii) the freight forwarder (“**subject freight forwarder**”) who received the Shipper’s Letter of Instruction or cargo bookings from the subject shipper for the consignment concerned, and the consignment was accepted by the subject freight forwarder for air carriage from Hong Kong. Details of the applicable measures on the subject freight forwarder are given at Appendix 2.

### **Failure to comply with Enhanced Control and Surveillance Measures**

4. Additional regulatory and surveillance actions will be imposed on the subject shippers and subject freight forwarders who fail to submit or implement a corrective action plan (CAP) acceptable to the CAD, or comply with the applicable enhanced control and surveillance measures specified under the scheme. To better manage the potential risks on aviation safety, relevant entities in the air cargo industry would be notified such that they may also consider stepping up their control, surveillance and inspection measures on the consignments tendered by the subject shippers and/or subject freight forwarders in parallel, in accordance with their own risk management approach.

### **Dangerous Goods (Consignment by Air) (Safety) Regulations**

5. Notwithstanding the implementation of this new scheme, in accordance with the Dangerous Goods (Consignment by Air) (Safety) Regulations (Cap. 384A of the Laws of Hong Kong), the CAD is obliged to continue the existing practice to investigate into every DG occurrence that involves the consignment of DG in contravention with the said Regulations. In other words, the implementation of this scheme and any enhanced control, surveillance and inspection measures on the subject shippers and subject freight forwarders does not preclude all the shippers and freight forwarders involved in the DG consignment concerned from their legal responsibilities / liabilities. It is therefore imperative that the air cargo industry stay vigilant and exercise caution in accepting and handling DG consignments for air carriage.

### **Joint Efforts in the Air Cargo Industry**

6. The safe transport of DG by air is a shared and collective responsibility, requiring joint efforts by all parties involved in the air cargo industry. Only with a safe air transport system can the air cargo business sustain and continue to grow. The cooperation of all stakeholders in the air cargo industry is thus necessary.

7. Should there be any query regarding this circular, please contact the Dangerous Goods Office at 2910 6856 or 2910 6857.

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An electronic version of this circular can be downloaded at  
*<http://www.cad.gov.hk/english/DGAC.html>*

**Enhanced Control, Surveillance and Inspection Measures on Subject Shipper**

1. Upon CAD’s receipt of the undeclared or mis-declared DG occurrence report, the subject shipper will be required to inter alia, submit a **corrective action plan (CAP)** to the Dangerous Goods Office of the Civil Aviation Department (CAD) within 4 working days with the aim of refining its internal cargo shipping and handling mechanism and procedures, and preventing future recurrence.

2. As part of the CAP, the subject shipper will be required to implement enhanced control and surveillance measures (e.g. 100% x-ray screening or hand search) on all of its air consignments for a specified period of time, commencing on a date as determined by the CAD or before, with details as follows :

<b>DG Occurrence(s) (within 6 Calendar Months)</b>	<b>Stage</b>	<b>Enhanced Control and Surveillance Measures (as part of the CAP)</b>
1 <sup>st</sup>	1	100% Surveillance Control (e.g. x-ray / hand search) on all of its consignments for <b>1 calendar month</b>
2 <sup>nd</sup>	2	100% Surveillance Control (e.g. x-ray / hand search) on all of its consignments for <b>2 calendar months</b>
3 <sup>rd</sup>	3	100% Surveillance Control (e.g. x-ray / hand search) on all of its consignments for <b>3 calendar months</b>
>3	4	<b>Additional regulatory &amp; surveillance actions</b> will be imposed on the subject shipper (such as extension of the control, surveillance and inspection measures under the scheme for a prolonged period of time as determined by the CAD)

3. The subject shipper shall keep all surveillance control records (e.g. the x-ray screening or hand search records on the consignments) for not less than 6 calendar months for inspection by the CAD.

4. The subject shipper will be inspected by the CAD more frequently, including both documentation and on-site inspections, either on an announced or unannounced basis.

**Enhanced Control, Surveillance and Inspection Measures on Subject Freight Forwarder**

1. Upon CAD's receipt of the undeclared or mis-declared DG occurrence report, the subject freight forwarder will be required to inter alia, submit a **corrective action plan (CAP)** to the Dangerous Goods Office of the Civil Aviation Department within 4 working days with the aim of refining its internal cargo acceptance and handling mechanism and procedures, and preventing future recurrence.
2. As part of its CAP, the subject freight forwarder will be required to implement enhanced control and surveillance measures (e.g. 100% x-ray screening or hand search) on the subject shipper's consignments or all of its shippers' consignments for a specified period of time, commencing on a date as determined by the CAD or before, with details as follows :

<b>DG Occurrence(s) (within 6 Calendar Months)</b>	<b>Stage</b>	<b>Enhanced Control and Surveillance Measures (as part of the CAP)</b>
1 <sup>st</sup>	1	100% Surveillance Control (e.g. x-ray / hand search) on all consignments from the <b>Subject Shipper</b> for <b>1 calendar month</b>
2 <sup>nd</sup>	2	100% Surveillance Control (e.g. x-ray / hand search) on all consignments from the <b>Subject Shipper</b> for <b>1 calendar month</b>
3 <sup>rd</sup>	3	100% Surveillance Control (e.g. x-ray / hand search) on consignments from <b>all of its shippers</b> for <b>3 calendar months</b>
>3	4	<b>Additional regulatory &amp; surveillance actions</b> will be imposed on the subject freight forwarder (such as extension of the control, surveillance and inspection measures under the scheme for a prolonged period of time as determined by the CAD)

3. The subject freight forwarder shall keep all surveillance control records (e.g. the x-ray screening or hand search records on the consignments) for not less than 6 calendar months for inspection by the CAD.
4. The subject freight forwarder will be inspected by the CAD more frequently, including both documentation and on-site inspections, either on an announced or unannounced basis.