

STATUTORY INSTRUMENTS SUPPLEMENT

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S T A T U T O R Y I N S T R U M E N T S

2022 No. 90.

THE CIVIL AVIATION (SAFE TRANSPORT OF DANGEROUS GOODS
BY AIR) REGULATIONS, 2022

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STATUTORY INSTRUMENTS

2022 No. 90.

The Civil Aviation (Safe Transport of Dangerous Goods by Air) Regulations, 2022

(Under sections 34(2) and 61 of the Civil Aviation Authority Act, Cap 354)

IN EXERCISE of the powers conferred upon the Minister by sections 34(2) and 61 of the Civil Aviation Authority Act, and on recommendation of the Uganda Civil Aviation Authority, these Regulations are made this 27th day of June, 2022.

PART 1—PRELIMINARY

1. Title

These Regulations may be cited as the Civil Aviation (Safe Transport of Dangerous Goods by Air) Regulations, 2022.

2. Application

These Regulations apply to all international and domestic operations of civil aircraft and to any person, organisation or enterprise engaged in or offering to engage in aircraft operations involved in the safe transport of dangerous goods by air.

3. Interpretation

In these Regulations, unless the context otherwise requires—

“Aircraft Operator Certificate (AOC)” means a certificate authorising an operator to carry out specified commercial air transport operations;

“approval” means an authorisation granted by an appropriate national authority for—

- (a) the transport of dangerous goods forbidden on passenger or cargo aircraft where the Technical Instructions state that such goods may be carried with an approval or both; or

(b) other purposes as provided for in the Technical Instructions;

“cargo aircraft” means any aircraft, other than a passenger aircraft, which is carrying goods or property;

“consignment” means 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;

“COMAT” means an operator material carried on an aircraft of the operator for the purpose of the operator;

“crew member” means a person assigned by an operator to duty on an aircraft during a flight duty period;

“currency point” has the value assigned to it in Schedule 1 to these Regulations;

“dangerous goods” means 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 Technical Instructions;

“dangerous goods accident” means 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;

“dangerous goods incident” means 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;

“designated postal operator” means 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;

“exemption” means an authorisation, other than an approval, granted by an appropriate national authority providing relief from the provisions of the Technical Instructions;

“flight crew member” means a licensed crew member charged with duties essential to the operation of an aircraft during a flight duty period;

“IATA” means the International Air Transport Association;

“ICAO” means the International Civil Aviation Organisation;

“operator” means a person, organisation or enterprise engaged in or offering to engage in an aircraft operation;

“overpack” means 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;

“package” means the complete product of the packing operation consisting of the packaging and its contents prepared for transport;

“packaging” means receptacles and any other components or materials necessary for the receptacle to perform its containment function;

“passenger aircraft” means an aircraft that carries any person other than a crew member, an operator’s employee in

an official capacity, an authorised representative of an appropriate national authority or a person accompanying a consignment or other cargo;

“Pilot-In-Command (PIC)” means 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;

“Safety Management System (SMS)” means a systematic approach to managing safety, including the necessary organisational structures, accountabilities, policies and procedures;

“State of origin” means the State in the territory of which the consignment is first to be loaded on an aircraft;

“State of the operator” means the State in which the principal place of business of the operator is located or, if there is no such place of business, the permanent residence of the operator;

“Technical Instructions” means 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;

“UN number” means the four-digit number assigned by the United Nations Committee of Experts on the Transport of Dangerous Goods and on the Globally Harmonised System of Classification and Labelling of Chemicals to identify an article or substance or a particular group of articles or substances;

“Unit load device” means any type of freight container, aircraft container, aircraft pallet with a net, or aircraft pallet with a net over an igloo.

PART II—GENERAL

4. **Dangerous goods Technical Instructions**

(1) A person, organisation or enterprise engaged in or offering to engage in domestic and international aircraft operations involved in the safe transport of dangerous goods by air, shall not do so unless such operations are carried out in accordance with the latest edition of ICAO Technical Instructions and its amendments.

(2) Uganda as a contracting State shall inform ICAO of the difficulties encountered in the application of the Technical Instructions and of any amendments under the Technical Instructions which it would desire to make.

(3) Where an amendment to the Technical Instructions with immediate applicability for purposes of safety may not have been implemented in a contracting State yet, such State shall, facilitate the movement of the dangerous goods in its territory which are consigned from another contracting State in accordance with that amendment, provided the goods comply in total with the revised requirements.

(4) A person shall before offering a package or overpack of dangerous goods for transport by air, ensure compliance to the ICAO Technical Instructions for the safe transport of dangerous goods by air.

(5) Transport by air of infectious substances or dangerous goods shall require coordinated action by the shipper, the operator, and the consignee, to ensure safe transport and arrival on time and in proper condition in accordance with the Technical Instructions.

(6) An article and substance, which would otherwise be classified as dangerous goods shall be excluded from the provisions of these Regulations, to the extent specified in the Technical Instructions, provided they are—

- (a) required to be aboard the aircraft for operating reasons;

- (b) carried as catering or cabin service supplies;
- (c) carried for use in flight as veterinary aids for use as a humane killer for animals; or
- (d) carried for use in flight for medical aid for a patient, provided that—
 - (i) gas cylinders have been manufactured specifically for the purpose of containing and transporting that gas;
 - (ii) drugs, medicines, and other medical matter are under the control of trained personnel during the time when they are in use in the aircraft;
 - (iii) equipment containing wet cell batteries is secured in an upright position to prevent spillage of the electrolyte;
 - (iv) proper provision is made to stow and secure all the equipment during take-off and landing and at all other times when deemed necessary by the Pilot-In-Command in the interest of safety; or
 - (v) they are carried by passenger or crew members.

5. Domestic civil aircraft operations

The authority shall take the necessary measures to achieve compliance with these Regulations and the Technical Instructions for domestic civil aircraft operations, for safety and to minimise interruptions to the international transport of dangerous goods.

6. Dangerous goods specific approval

An applicant for a specific approved for transportation of dangerous goods by air, shall be granted a specific approval after a successful completion of the five-phase certification process as specified by the authority in the applicable technical guidance material.

7. Exemptions

(1) An article and substance which is otherwise classified as a dangerous good, but which is required to be aboard the aircraft in accordance with the pertinent airworthiness requirements and operating regulations, or for those specialised purposes identified in the Technical Instructions, shall be exempted from the provisions of these Regulations.

(2) Where an article and substance intended as a replacement for the article and substance described in subregulation (1) or which has been removed for replacement is carried on an aircraft, the article and substance shall be transported in accordance with the provisions of these Regulations except as permitted in the Technical Instructions.

(3) A specific article and substance carried by a passenger or crew member shall be exempted from the provisions of these Regulations to the extent specified in the Technical Instructions.

(4) Where specifically provided for in the Technical Instructions, the State concerned may grant an approval of dangerous goods for transport by air, provided that in such instances an overall level of safety in transport which is equivalent to the level of safety provided for, in the Technical Instructions is achieved.

(5) Notwithstanding subregulation (2), the authority may grant an exemption from the provisions of the Technical Instructions, in the following instances—

- (a) extreme urgency;
- (b) when other forms of transport are inappropriate; or
- (c) where full compliance with the prescribed requirements is contrary to the public interest.

(6) Subject to subregulation (3), where an exemption is granted, every effort shall be made to achieve an overall level of safety in transport, which is equivalent to the level of safety provided for in the Technical Instructions.

(7) For the state of overflight, 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.

(8) These Regulations do not require an operator to transport a particular article or substance or prevent an operator from adopting special requirements on the transport of a particular article or substance.

(9) For purposes of this section, “State concerned” means the State of origin or the State of the operator, unless otherwise specified in the Technical Instructions.

8. Notification of variations from the Technical Instructions

(1) Where the authority adopts different provisions from those specified in the Technical Instructions, it shall notify ICAO promptly of such variations for publication in the Technical Instructions.

(2) The authority shall take the necessary measures to ensure that where an operator adopts more restrictive requirements than those specified in the Technical Instructions, the notification of such operator variations is made to ICAO for publication in the Technical Instructions.

(3) State variations issued by Uganda shall be notified and specified in the ICAO Technical Instructions and IATA Dangerous Goods Regulations.

9. Surface transport

Dangerous goods intended for transport by air and prepared in accordance with the ICAO Technical Instructions shall comply strictly with the procedures of the authority for surface transport of dangerous goods to be carried by air, to or from aerodromes.

10. Enforcement of Regulations

The authority shall designate and delegate a section within the authority responsible for regulatory compliance with these Regulations.

11. Classification of dangerous goods

A person involved in handling dangerous goods shall take all reasonable measures to ensure that articles and substances are classified as dangerous goods as specified in the Technical Instructions.

Limitations on the Transportation of Dangerous Goods by Air

12. Dangerous goods permitted for transport by air

The transport of dangerous goods by air is forbidden except as prescribed in these Regulations and the detailed specifications and procedures provided in the Technical Instructions.

13. Dangerous goods forbidden for transport by air unless exempted

The following dangerous goods shall be forbidden on an aircraft unless exempted by the authority or unless the provisions of the Technical Instructions indicate that the dangerous goods may be transported under an approval granted by the authority—

- (a) dangerous goods that are identified in the Technical Instructions as being forbidden for transport in normal circumstances;
- (b) infected live animals;
- (c) weapons and ammunition;
- (d) explosives, unless required on board an aircraft for its operations;
- (e) poisonous gases;
- (f) infectious substances; and
- (g) radioactive material, radioisotopes and similar substances.

14. Dangerous goods forbidden for transport by air under any circumstances

A person involved in the transportation of dangerous goods shall take all reasonable measures to ensure that 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 are not be carried on any aircraft.

15. General requirements for packing

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

16. Packaging

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

(2) The packaging shall be suitable for the contents and where packaging is in direct contact with dangerous goods, the packaging shall be resistant to any chemical or other action of such dangerous goods.

(3) The packaging shall meet the material and construction specifications in the Technical Instructions.

(4) The packaging shall be tested in accordance with the provisions of the Technical Instructions.

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

(6) An inner packaging shall be packed, secured or cushioned to prevent their breakage or leakage and to control their movement within the outer packaging during normal conditions of air transport.

(7) The cushioning and absorbent materials shall not react dangerously with the contents of the packaging.

(8) No packaging shall be re-used until it has been inspected and found free from corrosion or other damage.

(9) Where a packaging is re-used, all necessary measures shall be taken to prevent contamination of subsequent contents.

(10) Where uncleaned empty packaging may present a hazard, because of the nature of the former contents of the packaging, the packaging shall be tightly closed and treated according to the hazard the packaging constitute.

(11) No harmful quantity of a dangerous substance shall adhere to the external of the packages.

Labelling and Marking

17. Labels

(1) Unless otherwise provided for in the Technical Instructions, every package of dangerous goods shall be labelled with the appropriate labels and in accordance with the provisions of the Technical Instructions.

(2) A person involved in handling dangerous goods shall take all reasonable measures to ensure that the dangerous goods are packed as specified in the Technical Instructions.

(3) Where dangerous goods are carried on a flight which takes place wholly or partly outside the territory of Uganda, the shipper and the operator shall ensure that the labelling and markings are in the English language in addition to any other language requirements.

18. Markings

(1) Unless otherwise provided for in the Technical Instructions, every 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 the Technical Instructions.

(2) Unless otherwise provided for in the Technical Instructions, each packaging manufactured to a specification contained in the Technical Instructions shall be marked in accordance with the appropriate provisions of the Technical Instructions and the packaging shall not be marked with a packaging specification marking unless it meets the appropriate packaging specification contained in the Technical Instructions.

19. Languages to be used for markings

In addition to the languages required by the State of origin and pending the development and adoption of a more suitable form of expression for universal use, English may be used for the markings related to dangerous goods.

PART III—RESPONSIBILITIES OF SHIPPER

20. General requirements

Before a person offers any package or overpack of dangerous goods for transport by air, that person shall ensure that the dangerous goods are not forbidden for transport by air and are properly classified, packed, marked, labelled, and accompanied by a properly executed dangerous goods transport document, as specified in these Regulations and the Technical Instructions.

21. Dangerous goods transport document

(1) An operator shall not accept dangerous goods for transport by air—

- (a) unless the dangerous goods are accompanied by a duly completed and signed document by a person who offers it in accordance with the information required by the Technical Instructions; or
- (b) until the package, over pack or freight container containing the dangerous goods has been inspected in accordance with the acceptance procedures contained in the Technical Instructions.

(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.

22. Languages to be used for dangerous goods documents

In addition to the languages which may be required by the State of origin and pending the development and adoption of a more suitable form of expression for universal use, English may be used for the dangerous goods transport document.

PART IV—RESPONSIBILITIES OF OPERATOR

23. Safety management systems

(1) An operator shall include provisions on the carriage of dangerous goods in the scope of the operator’s safety management system.

(2) For purposes of carriage of dangerous goods, further guidance is contained in the Civil Aviation (Safety Management) Regulations, 2022 and the Safety Management Manual (Doc 9859).

24. Acceptance for transport

An operator shall not accept dangerous goods for transport by air—

- (a) 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;
- (b) until the package, over pack or freight container containing the dangerous goods has been inspected in accordance with the acceptance procedures contained in the Technical Instructions; and
- (c) unless for special provisions relating to the acceptance of overpacks are as contained in the Technical Instructions.

25. Acceptance checklist

(1) An operator shall develop and use an acceptance checklist as an aid to compliance with the provisions of these Regulations.

(2) An operator shall not permit dangerous goods for transport by air unless the package, overpack or freight container has been inspected in accordance with the acceptance procedures in the Technical Instructions.

(3) An operator, or his or her handling agent, shall use an acceptance checklist which—

- (a) allows all relevant details to be checked; and
- (b) is in such form to allow the recording of the results of the acceptance check by either manual, mechanical or computerised means.

26. Loading and stowage

Packages and over packs 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.

27. Inspection for damage or leakage

An operator, shipper or handling agent shall ensure that—

- (a) packages, over packs and freight containers are inspected for evidence of leakage or damage immediately prior to loading an aircraft or into a unit load device, as specified in the Technical Instructions;
- (b) a unit load device is not loaded on an aircraft unless it has been inspected as required by the Technical Instructions and found free from any evidence of leakage from, or damage to, the dangerous goods contained in the unit load device;

- (c) 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;
- (d) leaking or damaged packages, overpacks or freight containers shall not be loaded on to an aircraft;
- (e) 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 organisation, and thereafter shall ensure that the remaining consignment is in a proper condition for transport by air and that no other package has been contaminated;
- (f) packages or over packs containing dangerous goods and freight containers containing radioactive materials shall be inspected for signs of damage or leakages upon unloading from the aircraft or unit load device; and
- (g) if evidence of damage or a 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.

28. Loading restrictions in passenger cabin or on flight deck

(1) The 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.

(2) The operator shall ensure that dangerous goods are not carried in an aircraft cabin occupied by passengers or on the flight deck, unless otherwise specified in the Technical Instructions.

(3) The operator shall ensure that dangerous goods loaded in aircraft cargo compartments, are protected from being damaged

and secured in such a manner that prevents any movement in flight which would change the orientation of the packages and specifically for packages containing radioactive materials, the securing may be adequate to ensure the separation requirements.

(4) The operator shall ensure that packages of dangerous goods bearing the “Cargo Aircraft Only” label is carried on a cargo aircraft and loaded as specified in the Technical Instructions or in such a manner that a crew member or other authorised person can see, handle and, where size and weight permit, separate such packages from other cargo.

29. Removal of contamination

(1) Any hazardous contamination found on an aircraft because of a leakage or damage to dangerous goods packages shall be removed without delay.

(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.

30. Separation and segregation

(1) The packages containing dangerous goods which might react dangerously with one 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 a leakage.

(2) The packages of toxic and infectious substances shall be stowed on an aircraft in accordance with the provisions of the Technical Instructions.

(3) The packages of radioactive materials shall be stowed on an aircraft so that the packages are separated from persons, live animals, and undeveloped film, in accordance with the provisions in the Technical Instructions.

31. Securing of dangerous goods cargo load

Where dangerous goods that are subject to the provisions contained in this regulation are loaded and secured 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, and for packages containing radioactive materials, the securing shall be adequate to ensure that the separation requirements of regulation 30 (3) are complied with.

32. Loading on cargo aircraft

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

33. Dangerous goods manual

(1) A person, organisation or enterprise shall not engage in or offer to engage in aircraft operations involved in the safe transport of dangerous goods by air unless the Dangerous Goods Manual in use is approved by the authority.

(2) Subject to subregulation (1), the Dangerous Goods Manual may be part of the operator’s General Operations Manual or a stand-alone provided it is developed in accordance with the Schedule 2 to these Regulations.

(3) An operator shall not make amendments or additions to the dangerous goods manual as per the changes in the Technical Instructions for the purpose of ensuring the safe transportation of dangerous goods by air unless he or she obtains approval from the authority.

PART V—PROVISION OF INFORMATION

34. Information to Pilot-In-Command

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

35. Information and instructions to flight crew members

An operator shall provide information in the operations manual to enable the flight crew to carry out its responsibilities about the transport of dangerous goods and shall provide instructions for the action to be taken in the event of emergencies involving dangerous goods.

36. Information to passengers

An operator shall ensure that passengers on an aircraft are warned about the carriage of dangerous goods forbidden from being transported in accordance with the Technical Instructions.

37. Information to other persons

An operator, shipper or other organisation involved in the transportation of dangerous goods by air shall provide such information to their personnel to enable them to carry out their responsibilities about the transportation of dangerous goods and they shall provide instructions for the action to be taken in the event of emergencies arising involving dangerous goods.

38. Information from Pilot-In-Command to aerodrome authorities

Where an in-flight emergency occurs, the Pilot-In-Command shall, as soon as the situation permits, inform the appropriate air traffic services unit, to pass information to aerodrome authorities, of any dangerous goods on board the aircraft, as provided for in the Technical Instructions.

PART VI—TRAINING PROGRAMMES

39. Establishment of training programmes

(1) A shipper, operator or agency who handles or conducts operations in the transportation of dangerous goods by air shall establish, maintain, and conduct training programmes approved by the authority which shall enable the personnel of the operator to perform their duties.

(2) The shipper, operator or agency shall ensure that the dangerous goods training programme is updated from time to time as provided in the Technical Instructions.

40. Initial dangerous goods training

The initial and recurrent dangerous goods training programmes shall be established and maintained by or on behalf of—

- (a) shippers of dangerous goods, including packers and persons or organisations undertaking the responsibilities of the shipper;
- (b) the operator;
- (c) ground handling agencies which perform, on behalf of the operator, the act of accepting, handling, loading, unloading, transferring or other processing of cargo, mail or stores;
- (d) ground handling agencies located at an airport which perform, on behalf of the operator, the act of processing passengers;
- (e) agencies, not located at an airport, which perform on behalf of the operator, the acting of checking in passengers;
- (f) freight forwarders;
- (g) agencies engaged in the security screening of passengers and their baggage and or cargo, mail or stores; and
- (h) designated postal operators.

41. Approval of training programmes

(1) The operator and service provider shall submit to the authority a dangerous goods training programme developed in accordance with the Technical Instructions for approval.

(2) An operator that does not hold a permanent approval to carry dangerous goods shall ensure that—

- (a) staff who engage in general cargo handling have received training to carry out their duties in respect of dangerous goods which covers as a minimum, the areas identified in Column 1 of Table 1, to a depth sufficient to ensure

that awareness is gained about the hazards associated with dangerous goods, how to identify such goods and what requests apply to the carriage of such goods by passengers; and

- (b) aircraft crew members, passengers handling staff, and security staff employed by the operator or handling agents who deal with the screening of passengers and their baggage, have received training, at a minimum, covering the areas identified in Column 1 of Table 2 to a depth sufficient to ensure that awareness is gained about the hazards associated with dangerous goods, how to identify them and what requirements apply to the carriage of such goods by passengers.

| Table 1 | | |
|--|-----------------|-----------------|
| Areas of Training | Column 1 | Column 2 |
| General philosophy | X | X |
| Packaging, marking and labelling | X | X |
| Dangerous goods in passengers baggages | X | X |
| Emergency procedures | X | X |
| <i>Note: 'X' indicates an area to be covered</i> | | |

(3) An operator holding a specific approval to carry dangerous goods shall ensure that—

- (a) staff who are engaged in the acceptance of dangerous goods have received training and are qualified to carry out their duties which covers as a minimum, the areas identified in Column 1 of Table 2 to a depth sufficient to ensure the staff can take decisions on the acceptance or refusal of dangerous goods offered for carriage by air.

- (b) staff who are engaged in ground handling, storage and loading of dangerous goods have received training to enable them to carry out their duties in respect of dangerous goods which covers as a minimum, the areas identified in Column 2 of Table 2 to a depth sufficient to ensure that awareness is gained about the hazards associated with dangerous goods, how to identify such goods and how to handle and load them;
 - (c) staff who are engaged in general cargo handling have received training to enable them to carry out their duties in respect of dangerous goods which covers as a minimum, the areas identified in Column 3 of Table 2 to a depth sufficient to ensure that awareness is gained about the hazards associated with dangerous goods, how to identify such goods and how to handle and load them; and
 - (d) flight crew members have received training which covers as a minimum, the areas identified in Column 4 of Table 2 to a depth sufficient to ensure that awareness is gained about the hazards associated with dangerous goods and how they may be carried on an aircraft.
- (4) All dangerous goods training programmes shall be subject to review and approval by the authority.
- (5) An operator shall ensure that—
- (a) all staff who require dangerous goods training receive recurrent training every 24 months;
 - (b) the records of dangerous goods training are maintained for all staff trained in accordance with the provisions of these Regulations; and
 - (c) the handling agent's staff are trained in accordance with the applicable columns of Table 1 or Table 2.

| TABLE 2 | | | | | |
|--|-----------------|-----------------|-----------------|-----------------|-----------------|
| Areas of Training | Column 1 | Column 2 | Column 3 | Column 4 | Column 5 |
| General philosophy | X | X | X | X | X |
| Limitations on dangerous goods in the air transport | X | X | | X | X |
| Classification and list of dangerous goods | X | X | | X | |
| General packing requirements and packing instructions | X | | | | |
| Packaging specifications marking | X | | | | |
| Package marking and labelling | X | X | X | X | X |
| Documentation from the shipper | X | | | | |
| Acceptance of dangerous goods, including the use of a checklist | X | | | | |
| Loading, restrictions on loading and segregation | X | X | X | X | |
| Inspections for damage or leakage and decontamination procedures | X | X | | | |
| Provision of information to the PIC | X | X | | X | |

| | | | | | |
|--|---|---|---|---|---|
| Dangerous goods in passengers' baggage | X | | | X | X |
| Emergency procedures | X | X | X | X | X |

Note: "X" indicates an area to be covered

(6) The dangerous goods training programme for designated postal operators shall be approved by the authority of the State where the mail is accepted by the designated postal operator.

(7) The dangerous goods functional flowchart competence based training and assessment is as specified in the Schedule 3 to these Regulations.

42. Training curriculum

(1) Personnel shall be trained in the requirements commensurate with their responsibilities including—

- (a) function-specific training, which shall provide detailed training requirements applicable to the function for which that person is responsible; and
- (b) safety training, which shall cover the hazards presented by dangerous goods, safe handling, and emergency response procedures.

(2) Personnel identified in the Columns 1-5 of Table 2 shall be trained or the training shall be verified prior to the person performing any duty specified in Table 1 and 2.

(3) Recurrent training shall be provided every 24 months of previous training to ensure that knowledge is current.

(4) Where, after the recurrent training is completed within the final three months of validity of the previous training, the period of validity shall extend from the month on which the recurrent training was completed within 24 months from the expiry of that previous training.

(5) A test to verify understanding of the training shall be provided following training confirmation that the test has been completed satisfactorily as required.

(6) A record of training shall be maintained which shall include—

- (a) the name of the person;
- (b) the most recent training completion month;
- (c) a description, copy or reference to training materials used to meet the training requirements;
- (d) the name and address of the organisation providing the training; and
- (e) evidence which shows that the test referred to in subregulation (5) has been completed satisfactorily.

(7) Training records shall be retained by the employer for a minimum of thirty six months from the date of the most recent training completion month and shall be made available to the employee or authority upon request.

(8) The subject matter relating to dangerous goods transport with which various job functions of the personnel may be familiar is indicated in Table 3.

(9) The staff of the operators not carrying dangerous goods as cargo or mail shall be trained commensurate with their responsibilities, the subject matter to which their various categories of staff may be familiar with is indicated in Table 3.

(10) The training organisation shall ensure that training proficiency is achieved through the following four levels detailed in Schedule 4 to these Regulations and applied to individual tasks involved in the function that the employee is assigned—

- (a) introductory (*): covers general knowledge or understanding of basic concepts and techniques;

- (a) basic (**): delivers competency that is sufficient for an individual to carry out simple work activities, most of it routine and predictable. Guidance or assistance from an expert may be required from time to time;
- (a) intermediate (***) : comprises of complex or critical activities, in a non-routine context, which enables a person to work autonomously and solve problems without special assistance; and
- (a) advanced (****): covers complex technical and professional activities in a wide variety of contexts, which allows the personnel to provide advice. Dangerous goods training course instructors may have acquired this level of proficiency on the tasks or functions that they will instruct prior to delivering such course.

(11) A test to verify understanding of the training shall be provided upon completion of the training.

(12) The authority shall require confirmation that the test has been completed satisfactorily.

(13) The operator shall maintain a record of training which includes—

- (a) the name of every individual that attended the training;
- (b) the most recent training completion month;
- (c) description copies or reference to training materials used and course content; and
- (d) the name and address of the organisation providing the training.

(14) The training records shall be retained by the employer for a minimum of 36 months from the most recent training completion month and shall be made available upon request to the employee or authority.

(15) The subject matter relating to dangerous goods transportation with which various job functions of personnel may be familiar is indicated in Table 2.

(16) The staff of operators not carrying dangerous goods as cargo or mail shall be trained commensurate to their responsibilities, the subject matter to which the various categories of staff may be familiar with as indicated in Table 1.

TABLE 3—CONTENT OF TRAINING COURSES FOR STAFF OF DESIGNATED POSTAL OPERATORS

| Aspects of transport of dangerous goods by air with which they may be familiar, as a minimum | Designated postal operators | | |
|--|-----------------------------|---|---|
| | Category | | |
| | A | B | C |
| General philosophy | X | X | X |
| Limitations | X | X | X |
| General requirements for shippers | X | | |
| Classification | X | | |
| List of dangerous goods | X | | |
| General packing requirements | X | | |
| Packing instructions | X | | |
| Labelling and marking | X | X | X |
| Shipper’s Declaration and other relevant documentation | X | X | |
| Acceptance of the dangerous goods listed in 2.4 | X | | |

| | | | |
|---|---|---|---|
| Recognition of undeclared dangerous goods | X | X | X |
| Storage and loading procedures | X | | |
| Provisions for passengers and crew | X | X | X |
| Emergency procedure | X | X | X |
| <p>KEY: JOB FUNCTION- STAFF OF DESIGNATED POSTAL OPERATORS</p> <p>(A) <i>Staff of designated postal operators involved in accepting mail containing dangerous goods</i></p> <p>(B) <i>Staff of designated postal operators involved in processing mail (other than dangerous goods)</i></p> <p>(C) <i>Staff of designated postal operators involved in the handling, storage and loading of mail</i></p> | | | |

43. Qualifications of instructors

(1) Unless otherwise provided for by the authority, an instructor of the initial and recurrent dangerous goods training course shall have adequate instructional skills and should have successfully completed a dangerous goods instructional techniques course, prior to delivering a dangerous goods training.

(2) The instructor delivering initial and recurrent dangerous goods courses shall have recurrent training in dangerous goods every 24 months in order to continue instructing.

(3) For a person to qualify as an instructor for dangerous goods for both operators who carry or do not carry dangerous goods, he or she shall satisfy the following requirements—

- (a) he or she should have successfully completed an IATA Dangerous Goods Regulations initial and recurrent training;
- (b) he or she should have successfully completed a five day classroom training in IATA Instructional Techniques; and

(c) he or she should have successfully completed a Competence Based Training and Assessment for Dangerous Goods Instructor's course.

(4) A dangerous goods course instructor shall where required demonstrates his or her instructional skills to the authority.

(5) An instructor of a dangerous goods course shall demonstrate the use of adapted competency model to diagnose the root cause of performance difficulties, the adapted competency model, particularly the performance criteria, shall help the instructor to analyse a trainee's performance and identify which competencies have not yet been fully mastered.

(6) An instructor of a dangerous goods course shall demonstrate advanced proficiency level related to the functions he or she is dealing with according to the Level of Proficiency in Terms of Competency Factors.

(7) A dangerous goods instructor trainee using Competency Based Training and Assessment Dangerous Goods Training shall undergo the following processes prior to qualifying to instruct—

(a) observation: observe a course in the same function to be approved for, with a senior instructor to be qualified as a dangerous goods course instructor;

(b) interaction: prepare a course in the same function to be approved with a senior instructor; and

(c) lead: conduct, lead and establish a full training and assessment program for functions to be considered in his qualification.

(8) In order to maintain competency a dangerous goods course instructor shall in every 24 months deliver six training courses as a minimum, the training conducted shall be in the function or category in which he or she has been authorised.

(9) Subject to subregulation (8) a dangerous goods course instructor who fails to deliver a minimum of six courses in 24 months shall undergo recurrent competency-based training and assessment to regain his or her regency.

PART VII—COMPLIANCE

44. Inspection systems

(1) An operator, shipper or other entity shall grant unlimited, unrestricted, and unimpeded access to the authority of their facilities and any necessary documents for the purpose of inspection, surveillance and enforcement.

(2) Subject to subregulation (1), the surveillance activities referred to shall include—

- (a) inspecting dangerous goods consignments prepared, offered, accepted, or transported by operators and other entities;
- (b) inspecting the practices of operators and other entities;
- (c) investigating alleged violations; and
- (d) other safety oversight functions relating to transportation of dangerous goods.

(3) An operator, shipper or other organisation performing functions involving the safe transportation of dangerous goods by air shall comply with these Regulations and ICAO Technical Instructions while performing the dangerous goods functions.

(4) An operator, shipper or other organisation performing functions involving the safe transportation of dangerous goods by air shall be liable to administrative and enforcement action for failure to comply with these Regulations and the Technical Instructions.

(5) Where the information about a violation is received from another State, in case a consignment of dangerous goods is found in

violation of the requirements of the Technical Instructions upon arrival in Uganda the provisions of these Regulations shall apply.

45. Foreign and domestic inspections

(1) A foreign air operator who transports or wishes to transport dangerous goods in and out of Uganda shall have his or her Dangerous Goods Authorisation approved by the authority.

(2) Where the authority deems it necessary, the approval process referred to in subregulation (1) shall include an inspection of the foreign air operator's facility which shall be conducted by the authority inspectors.

(3) Notwithstanding the provisions of the Civil Aviation (Commercial Air Transport by Foreign Air Operator within Uganda) Regulations, 2022, the validation of this specific approval shall be renewable subject to the validity of the Foreign Air Operator Certificate.

(4) A Ugandan Aircraft Operator Certificate holder who transports or wishes to transport dangerous goods shall go through the certification process prescribed by the authority and a specific approval for the carriage of dangerous goods shall be issued after a successful completion of the five phases dangerous goods certification process.

(5) The authority shall issue any other entity involved in the carriage of dangerous goods with a dangerous goods approval following the completion of a five-phase certification process, the dangerous goods approval shall be valid for a specified period in the technical guidance material and shall be renewed following completion of inspection of the facility of the entity.

(6) A scheduled or unscheduled inspection shall be performed on both Uganda and foreign registered aircraft as well as facility inspections of other entities, for continuous validity of the authorisation issued under these Regulations.

46. Cooperation between States

(1) Uganda shall participate in cooperative efforts with other States concerning violations of regulations on dangerous goods, with the aim of eliminating the violations.

(2) Areas of cooperation may include—

- (a) coordination of investigations and enforcement actions;
- (b) exchanging information on a regulated party's compliance history; and
- (c) joint inspections and other technical liaisons, exchange of technical staff, and joint meetings and conferences.

(3) Subject to subregulation (2) (b) information that may be exchanged includes—

- (a) safety alerts;
- (b) bulletins or dangerous goods advisories;
- (c) proposed and completed regulatory actions;
- (d) incident reports;
- (e) documentary and other evidence developed in the investigation of incidents;
- (f) proposed and final enforcement actions; and
- (g) educational or outreach materials suitable for public dissemination.

47. Dangerous goods by mail

(1) The procedures of designated postal operators for controlling the introduction of dangerous goods in mail into air transport shall be approved by the authority of the State where the mail is accepted.

(2) In accordance with the Universal Postal Union Convention, dangerous goods are not permitted in mail, or their introduction into air transport through the postal service except as provided for in the Technical Instructions.

(3) Guidance for approving the procedures established by designated postal operators to control the introduction of dangerous goods into air transport shall be as provided for in the Technical Instructions.

48. Dangerous goods accident and incident reporting

(1) The procedures for investigating and compiling information concerning an accident and incident shall be in accordance with the Civil Aviation (Aircraft Accident and Incident Investigation) Regulations, 2022.

49. Dangerous goods security provisions

(1) A person shall not engage in the transportation of dangerous goods by air, unless the person establishes and implements measures to minimise theft or misuse of dangerous goods that endanger persons, property, or the environment.

(2) Subject to subregulation (1), the security measures shall comply with the Civil Aviation (Security) Regulations, 2022 and the Technical Instructions.

50. First aid and emergency medical kit at warehouse

(1) The ground handling agencies and operators shall have a separate and designated warehouse or area within the warehouse for dangerous goods storage and shall equip it with a first aid and emergency medical kit.

(2) The ground handling agents and operators shall develop systems in mitigating occurrences as provided for in these Regulations or the ICAO document on Emergency Response Guidance for Aircraft Incidents Involving Dangerous Goods (Doc 9481).

(3) The operator shall carry on board an aircraft transporting dangerous goods in and out of Uganda, the ICAO document on Emergency Response Guidance for Aircraft Incidents Involving Dangerous Goods (Doc 9481).

51. First aid kit

(1) All dangerous goods warehouses shall be well equipped with first aid and emergency medical kits, the list of contents of the first aid boxes at the warehouses shall be displayed outside the box with the expiration date of the various items in the first aid box, the names of staff trained on how to administer first aid and contact information shall be pasted on all first aid boxes, fire extinguishers shall be placed at vantage points and dates on them shall be valid and employees at cargo warehouses shall be required to produce certificates of firefighting and first aid training upon request.

(2) The dangerous goods posters, fire extinguishers signage, assembly point signage and relative dangerous goods signage shall be displayed at open places in the cargo warehouse.

52. First aid box contents

All first aid boxes shall contain among others, the following—

- (a) disposable gloves;
- (b) tweezers;
- (c) haemostat;
- (d) bandages;
- (e) wet gauze;
- (f) pair of scissors;
- (g) cotton;
- (h) antiseptic cream;
- (i) eye wash; and
- (j) alcohol.

53. Helicopter operations

(1) Where the provisions of these Regulations are not appropriate or necessary, due to the operations involving unmanned

sites, remote locations, mountainous areas, or construction sites due to the difference in the type of operations carried out by helicopters compared with aeroplanes, and when appropriate, the authority may grant an approval to permit the carriage of dangerous goods without all the normal requirements of these Regulations being fulfilled and where States other than the State of the operator have notified ICAO that they require prior approval of such operations, approval shall be obtained from the State of Origin and destination, as appropriate.

(2) When loading dangerous goods for open carriage by a helicopter, consideration shall be given to the type of packing used and for the protection of the packings, where necessary, from the effect of airflow and weather, in addition to the general loading provisions.

(3) Where dangerous goods are carried suspended from a helicopter, the operator shall ensure that consideration is given to the dangers of static discharge upon landing or release of the load.

(4) Where helicopters are carrying passengers, approval may be granted by the authority to permit carriage of dangerous goods in the cabin when those dangerous goods are associated with and accompanied by the passengers.

54. Transportation of radioactive materials

(1) Radioactive Materials (Class 7) shall be classified under special arrangement.

(2) The Atomic Energy Council shall develop recommended procedures for the safe transportation of radioactive materials.

(3) For purposes of transporting radioactive materials, the operator shall seek prior approval from the Atomic Energy Council and a copy of the approval shall be presented to the authority.

(4) An operator or agent transporting radioactive material shall apply for an approval from the authority in a format prescribed by the authority.

(5) The authority shall review the application made under subregulation (4) and may grant an approval to the operator or agent to transport radioactive materials.

PART VIII—MISCELLANEOUS

55. Application for exemptions

(1) A person or operator may apply to the authority for an exemption from any provision of these Regulations.

(2) A request for exemption shall be made in accordance with the requirements of these Regulations and an application for such exemption shall be submitted and processed in a manner prescribed in the applicable technical guidance material.

(3) A request for an exemption shall contain the applicant's—

- (a) name;
- (b) physical address and mailing address;
- (c) telephone number;
- (d) fax number, where available; and
- (e) email address, where available.

(4) The application shall be accompanied by a fee prescribed by the authority in the applicable aeronautical information circulars for technical evaluation.

56. Exemptions

(1) The authority may, upon consideration of the circumstances of a particular operator with a specific approval to transport dangerous goods by air granted under these Regulations, issue an exemption providing relief from specified provisions of these Regulations, provided that—

- (a) the authority finds that the circumstances presented warrant the exemption; and

(b) a level of safety shall be maintained equal to that provided by the Regulations from which the exemption is sought.

(2) The exemption referred to in subregulation (1) may be terminated or amended at any time by the authority.

(3) A person or operator who receives an exemption shall have a means of notifying the management and appropriate personnel performing functions subject to the exemption.

57. Inspection of certificates or specific approval for dangerous goods

A person who holds a certificate or specific approval for the transportation of dangerous goods required by these Regulations shall present the certificate for inspection upon a request from the authority or other person authorised by the authority.

58. Replacement of documents

A person may apply to the authority in the prescribed form for replacement of documents issued under these Regulations if such documents are lost or destroyed.

59. Aircraft Operator Certificate suspension and revocation of specific approval

(1) The authority may, in the public interest, suspend provisionally pending further investigation or re-examine the original certification basis of any approval, exemption or such other document issued or granted under these Regulations.

(2) The authority may, upon the completion of an investigation and in the public interest, revoke, suspend, or vary any approval, exemption or such other document issued or granted under these Regulations.

(3) The authority may, in the public interest, prevent any person or aircraft from flying.

(4) A holder of an AOC or any person having the possession or custody of any approval, exemption or other document which has been revoked, suspended or varied under these Regulations shall surrender it to the authority within 14 days after being required to do so by the authority.

(5) The breach of any condition subject to which any approval, exemption or any other document, has been granted or issued under these Regulations shall render the document invalid during the continuance of the breach.

60. Use and retention of documents and records

(1) A person shall not—

(a) use any approval, exemption or such other document issued or required by or under these Regulations which has been forged, altered, revoked, suspended, or to which he or she is not entitled;

(b) forge or alter an approval, exemption or other document issued or required by or under these Regulations;

(c) lend any approval, exemption or such other document issued or required by or under these Regulations to any other person; or

(d) make any false representation for the purpose of procuring for himself or herself or any other person the grant, issue, renewal or variation of any such approval or exemption.

(2) During the period for which it is required under these Regulations to be preserved, a person shall not mutilate, alter, render illegible or destroy any records required by or under these Regulations to be maintained, or knowingly make, or procure or assist in the making of, any false entry in any record, or wilfully omit to make a material entry in such a record.

(3) All entries in records required to be maintained by or under these Regulations shall be made in a permanent and indelible ink.

(4) A person shall not purport to issue any approvals, authorisations or exemptions under these Regulations unless he or she is authorised by the authority to do so.

(5) A person shall not issue any approval, authorisation or exemption of the kind referred to in subregulation (4) unless he or she has satisfied himself or herself that all statements in the certificate are correct, and that the applicant is qualified to hold that certificate.

61. Report of violation

(1) Any person who has information with regard to a violation of the Act or these Regulations, rule, or order issued by the authority shall report it to the authority.

(2) The authority shall determine the nature and type of additional investigation or enforcement action that may be taken.

62. Enforcement of direction

(1) The authority shall take enforcement action on any regulated entity that fails to comply with the provisions of these Regulations.

(2) The inspectors of the authority holding valid delegations shall take necessary action to preserve safety where undesirable conditions have been detected.

- (3) The action referred to in subregulation (2) may include—
- (a) in the case of a regulated entity, imposition of operating restrictions until such a time where the existing and undesirable conditions have been resolved; or
 - (b) in the case of a licenced personnel, require that an individual does not exercise the privileges of the licence until such a time that the undesirable condition has been resolved.

(4) In carrying out the enforcement actions pursuant to the provisions of subregulation (2), the inspectors of the authority shall invoke the powers with due care and act in good faith in the interest of preserving safety.

63. Aeronautical user fees

(1) The authority may notify the fees to be charged in connection with the issue, validation, renewal, extension or variation of any approval or other document, including the issue of a copy of the approval or other document, or the undergoing of any examination, test, inspection or investigation or the grant of any permission or approval, required by, or for the purpose of these Regulations any orders, notices or proclamations made under these Regulations.

(2) Upon an application being made in connection with which a fee is chargeable in accordance with the provisions of subregulation (1), the applicant shall be required to pay the fees, before submitting the application.

(3) Where after the payment in subregulation (2) has been made, and an application is withdrawn by the applicant, ceases to have effect or is rejected, the authority shall not refund the fees.

64. Application of Regulations to Government and visiting forces

(1) These Regulations shall apply to aircraft, not being military aircraft, belonging to or exclusively employed in the service of the Government, and for the purposes of such application, the department or other authority for the time being responsible for management of the aircraft shall be deemed to be the operator of the aircraft, and in the case of an aircraft belonging to the Government, to be the owner of the interest of the Government in the aircraft.

(2) Except as otherwise expressly provided, the naval, military and air force authorities and members of any visiting force and property held or used for the purpose of such a force shall be exempt from the provisions of these Regulations to the same extent as if the visiting force formed part of the military force of Uganda.

65. Extra-territorial application of Regulations

Except where the context otherwise requires, the provisions of these Regulations shall—

- (a) in so far as they apply, whether by express reference or otherwise, apply to aircraft registered in Uganda, apply to such aircraft wherever they may be;
- (b) in so far as they apply, whether by express reference or otherwise, to other aircraft, apply to such aircraft when they are within Uganda;
- (c) in so far as they prohibit, require, or regulate, whether by express reference or otherwise, the doing of anything by any person in, or by any of the crew of, any aircraft registered in Uganda, shall apply to such persons and crew, wherever they may be; and
- (d) in so far as they prohibit, require, or regulate, whether by express reference or otherwise, the doing of anything in relation to any aircraft registered in Uganda by other persons shall, where such persons are citizens of Uganda, apply to them wherever they may be.

PART IX—OFFENCES AND PENALTIES

66. Contravention of Regulations

A person who contravenes any provision of these Regulations may have the licence, certificate, approval, authorisation, exemption, or such other document revoked or suspended.

67. Offences and penalties

(1) Where the provision of these Regulations, orders, notices or proclamations made under these Regulations is contravened in relation to an aircraft, the operator of that aircraft and the Pilot-In-Command, when the operator or, the Pilot-In-Command is not the person who contravened that provision the person shall, without

prejudice to the liability of any other person under these Regulations for that contravention, be deemed for the purposes of the following provisions of this regulation to have contravened that provision unless he or she proves that the contravention occurred without his or her consent or connivance and that he or she exercised all due diligence to prevent the contravention.

(2) Where it is proved that an act or omission of any person, which would otherwise have been a contravention by that person of a provision of these Regulations, orders, notices or proclamations made there under was due to any cause not avoidable by the exercise of reasonable care by that person, the act or omission shall be deemed not to be a contravention by that person of that provision.

(3) Where a person is charged with contravening a provision of these Regulations, orders, notices or proclamations made there under by reason of his or her having been a member of the flight crew of an aircraft on a flight for the purpose of commercial air transport operations, the flight shall be treated, without prejudice to the liability of any other person under these Regulations, as not having been for that purpose where he or she proves that he or she neither knew nor had reason to know that the flight was for that purpose.

(4) A person who contravenes any provision of these Regulations, is liable, on conviction, to a fine, and in the case of a continuing contravention, each day of the contravention shall constitute a separate offence.

(5) Where an aircraft is involved in a contravention and the contravention is by the owner or operator of the aircraft, the aircraft shall be subject to a lien for the penalty.

(6) Any aircraft subject to a lien for the purpose of subregulation (5) may be seized by and placed in the custody of the authority.

(7) Subject to subregulation (6), the authority shall not seize an aircraft without the consent of the Attorney General.

(8) The aircraft shall be released from custody of the authority upon—

- (a) payment of the penalty or the amount agreed upon in compromise;
- (b) deposit of a bond in such amount as the authority may prescribe in the applicable aeronautical information circular, conditioned upon payment of the penalty or the amount agreed upon in compromise; and
- (c) receiving an order of the court to that effect.

(9) The authority and any person specifically authorised by name or any police officer not below the rank of inspector specifically authorised by name by the Minister, may compound offences under Part A of the Schedule 5 to these Regulations by assessing the contravention and requiring the person reasonably suspected of having committed the offence to pay to the authority a sum not exceeding one hundred currency points.

(10) A person who contravenes any provisions specified as an “A” provision in Schedule 5 to these Regulations, commits an offence and on conviction, is liable, to a fine not exceeding fifty currency points for each offence or each flight or to imprisonment of a term not exceeding two years or both.

(11) A person who contravenes any provisions specified as a “B” provision in Schedule 5 to these Regulations, commits an offence and is on conviction, liable, to a fine not exceeding one hundred currency points for each offence or each flight or to imprisonment for a term not exceeding four years, or both.

(11) A person who contravenes any provisions of these Regulations not being a provision referred to in the Schedule 5 to these Regulations, commits an offence and is liable, on conviction, to a fine not exceeding one hundred currency points and in the case of a second or subsequent conviction for the same offence to a fine not exceeding two hundred currency points.

SCHEDULES

SCHEDULE 1

Regulation 3

CURRENCY POINT

A currency point is equivalent to twenty thousand shillings.

SCHEDULE 2

Regulation 33

DANGEROUS GOODS MANUAL

PARTICULARS OF A DANGEROUS GOODS MANUAL

1. FORMAT

- (a) The manual may be whole or in part in printed form, or other form acceptable to the authority.
- (b) The manual is required to be in a format which is easy to revise with clear and concise content.
- (c) The manual is required to comply with the provisions of these Regulations.
- (d) The manual covers all personnel responsible for transport of dangerous goods related job functions.
- (e) The manual may be maintained in paper format or electronic format.
- (f) The manual may be signed by the accountable executive.

2. CONTENTS OF THE DANGEROUS GOODS MANUAL

2.1 PART A: GENERAL

- (a) Title
- (b) Purpose
- (c) References
- (d) Definitions
- (e) Abbreviations
- (f) List of effective pages and revision pages
- (g) Corporate commitment statement
- (h) Base locations description of facilities, security for equipment, supplies and data
- (i) Scope of the manual

- (j) Amendment procedure of the manual
- (k) Basic description of operations personnel
- (l) Notification procedure to authority

The details which may be included in relation to each item, or whether any particular item needs to be included at all, depends upon the Operator's policy in relation to carriage of dangerous goods.

2.2 **PART B: DETAILS OF THE DANGEROUS GOODS MANUAL**

- (a) Operator company policy statement.
- (b) The requirement for employees to comply with the instructions contained in the manual.
- (c) Instructions to employees covering the dangerous goods which may be carried on the operator's aircraft including where applicable—
 - (i) dangerous goods not to be carried;
 - (ii) dangerous goods of the operator; and
 - (iii) dangerous goods carried on special operations (e.g., Search and rescue, air ambulance etc).
- (d) The authority permission related to the carriage of dangerous goods.
- (e) Identity of employees authorised to accept cargo of dangerous goods, and to approve carriage of passenger or crew carrying dangerous goods that require operator approval for carriage (may be expressed by name or title). Where this responsibility is contracted to a ground handling agent, a reference to that arrangement may be made.
- (f) Responsibilities for keeping the dangerous goods manual fully amended and up to date.
- (g) Procedures for accepting and of handling dangerous goods and the operators' acceptance checklist.

- (h) Storage and segregation before loading.
- (i) Aircraft loading procedures to ensure that “cargo aircraft only” packages are not loaded onto passenger aircraft.
- (j) Retention of dangerous goods documentation.
- (k) For dangerous goods carried on aircraft engaged in special operations such as search and rescue, air ambulance, forestry, horticultural or pollution control or where a humane killer for an animal is carried, stowage, handling and use on the aircraft in flight.
- (l) Actions to be taken in the event of accidental activation or spills of the dangerous goods on the aircraft in flight.
- (m) Dangerous goods carried by passengers and crew and dangerous goods which passengers are permitted to carry on board on their person or in their checked or carry-on baggage, including the procedures and responsibilities for obtaining and granting operator approval for those items that may only be carried with the approval of the operator.
- (n) Provision of information to passengers at passenger check-in points and ticketing areas.
- (o) Screening of passenger’s carry-on baggage for dangerous goods in conjunction with the security screening check where the operator is also the Screening authority.
- (p) Disposal of dangerous goods surrendered by passengers at security screening (where the operator is the screening authority) and in flight.
- (q) Instructions related to company aircraft, aircraft hold diagrams and numbering system.
- (r) Specific instructions relating to stowage of radioactive materials, (transport index limits) dry ice and magnetised material on the operator’s aircraft.

- (s) Procedures for reporting dangerous goods incidents including—
 - (i) definition of a dangerous goods incident;
 - (ii) responsibilities of individual employees to report;
 - (iii) initial action; and
 - (iv) follow-up action.
- (t) Precautions against hidden hazards in cargo consignments and passenger's baggage.
- (u) Common mis-declared items (may be based on experience).
- (v) Requirements for a consignor of cargo to make a signed statement of contents of the cargo and the document on which the statement may be made. (This may not be applicable to foreign operators carrying cargo originating outside Uganda).
- (w) Procedures for ensuring that the statement of contents from the consignor (original consignor or a freight forwarder) is received before the cargo is loaded onto the operator's aircraft.
- (x) Procedures for undeclared dangerous goods.
- (y) Provision of information to shippers and freight forwarders in areas where cargo is lodged with the operator.
- (z) Dangerous goods training and responsibilities for conduct of training and maintenance of dangerous goods training records.

3. PROCEDURES AND INFORMATION REQUIRED

operators are required to ensure the procedures and information contained in the manual are sufficient to assist personnel in identifying packages marked or labelled as containing dangerous goods, or show signs of containing undeclared dangerous goods, including—

- (a) procedures for rejecting packages that do not conform to the regulatory requirements for dangerous goods, or certificate holder's policies, where appropriate, or appear to contain undeclared dangerous goods;

- (b) procedures for reporting dangerous goods incidents, discrepancies and apparent violations as cargo, mail, COMAT, or carried by passengers;
- (c) a disclosure Reporting Program, as appropriate, as a minimum; and information regarding the operator's dangerous goods policies, including whether the certificate holder is authorised to carry, or prohibited from carrying, dangerous goods;
- (d) the operators' policy on carriage of dangerous goods will determine the extent and nature of instructions which the operator is required to issue to employees in the dangerous goods manual. For example, an operator who carries only those dangerous goods permitted by the regulations to be carried in passengers checked or carry-on baggage need only include in the manual relevant instructions to those employees responsible for activities associated with handling passengers' baggage. In those circumstances, the dangerous goods manual would also not need to be distributed more widely than to the employees to whom the instructions apply;
- (e) where an operator chooses to carry all dangerous goods permitted by these Regulations, more detailed instructions to employees would be appropriate;
- (f) where an operator need not include in the dangerous goods manual the technical detail which may be found in another manual such as the Technical Instructions and IATA Dangerous Goods Regulations; and
- (g) where formulating policy on the carriage of dangerous goods, operators may be aware that the authority may not issue Specific Approval under these Regulations for the carriage of a class of dangerous goods not covered in the operator's dangerous goods manual.

4. APPROVAL BY THE AUTHORITY

The manual requires the approval of the authority prior to implementation. The manual may clearly identify the person, with

responsibility and authority for ensuring that the authority is provided a copy of the manual, and for providing the authority all updates and revisions.

5. DANGEROUS GOODS MANUAL MANAGEMENT AND INTERFACES

- (a) An operator may provide the dangerous Goods Manual separately or include it in the operator's Operations Manual. Where a decision is made to include the dangerous Goods Manual in the operations manual it is recommended that it be placed in an easily identified segment so that it may be readily located.
- (b) The manual may include a procedure for ensuring that only authorised dangerous goods documents are available.
- (c) The manual may include a procedure to prevent the use of obsolete dangerous goods documents and indicate the procedures needed to address system security to prevent inadvertent changes to the software manual.
- (d) Information contained in the dangerous goods manual may be readily accessible to all relevant company employees, including any ground handling agent who is acting for or on behalf of the operator.

5.1 Responsibility or authority

Refer to other documents that identify or clearly delineate the accountable manager, by title or job description, who is responsible for the manual, and all management personnel with the authority to act on behalf of the accountable manager.

5.2 Revisions

- (a) Title or job description of the person responsible for revising and maintaining the manual shall be defined.
- (b) Develop procedures to ensure that only authorised personnel revise the manual.

- (c) Identify who, by title or job description, will be authorised to make revisions, and how that person is authorised to do so.
- (d) Explain how the certificate holder ensures that the manual is current.
- (e) Describe the process for making revisions; and
- (f) Explain how the revisions are identified, distributed, and promoted, throughout the certificate holder's transportation system.

5.3 Distribution, Availability or Publication

Identify the process that verifies that the manual is distributed to all remote station users or dangerous goods personnel (including contract personnel acting on behalf of the certificate holder) who need it to perform their duties. Include in this process measures to ensure version control.

SCHEDULE 4

Regulation 42(10)

DANGEROUS GOODS TASK LIST TEMPLATE

Personnel responsible for processing or accepting Dangerous Goods Consignments

| Function: Personnel responsible for processing or accepting dangerous goods consignments | | Processing/ accepting cargo |
|---|--|--|
| 0 | Understanding the basics of dangerous goods | * |
| 0.1 | Recognising dangerous goods | * |
| 0.1.1 | Understand the definition | * |
| 0.1.2 | Recognise the legal framework (global, local, training legal require-ments) | * |
| 0.1.3 | Identify the application scope | * |
| 0.2 | Identifying the general limitations | * |
| 0.2.1 | Develop a sense of potential hidden dangerous goods | * |
| 0.2.2 | Recognise the difference between hidden vs undeclared dangerous goods | * |
| 0.2.3 | Familiarised with passenger provisions vs cargo provisions in various situation (examples) | * |
| 0.3 | Positioning different roles and responsibilities | * |
| 0.3.1 | Clarify the individual and collective role of the supply chain stake-holders | * |
| 0.3.2 | Understand the passenger’s responsibilities | * |
| 0.3.3 | Recognised the role and impact of State & Operator variations | * |
| 0.4 | Understanding the criticality of classification & packaging | * |
| 0.4.1 | Differentiate between hazard vs risk | * |
| 0.4.2 | Identify the general information about classes, divisions | * |
| 0.4.3 | Understand general principles of packing groups | * |
| 0.4.4 | Consider multiple hazards | * |

| | | | | |
|---|--|---|--|-----|
| 0.5 | Interpreting the hazard communication | | * | |
| | 0.5.1 | Recognise the different marking basic requirements | * | |
| | 0.5.2 | Recognise the variety of labeling and their meaning | * | |
| | 0.5.3 | Identify the required documentation for DG shipments and their role in the process. | * | |
| | 0.6 | Familiarising with basic Emergency Response | | * |
| | | 0.6.1 | Create awareness about general emergency procedures | * |
| 0.6.2 | | Understand the employer emergency response requirements | * | |
| Function: Personnel responsible for processing or accepting dangerous goods consignments | | | Processing/accepting cargo | |
| 3 | Processing/accepting cargo | | | |
| | 3.1 | Review documentation | | *** |
| | | 3.1.1 | Verify dangerous goods transport document | *** |
| | | 3.1.2 | Verify other transport documents (e.g. air waybill) | *** |
| | | 3.1.3 | Verify other documents (exemptions, approvals, etc.) | *** |
| | | 3.1.4 | Verify State/operator variations | *** |
| | 3.2 | Review package(s) | | *** |
| | | 3.2.1 | Verify marks | *** |
| | | 3.2.2 | Verify labels | *** |
| | | 3.2.3 | Verify package type | *** |
| | | 3.2.4 | Verify package conditions | *** |
| | 3.3 | Complete acceptance procedures | | *** |
| | | 3.3.1 | Complete acceptance checklist | *** |
| | | 3.3.2 | Provide shipment information for load planning | *** |
| | | 3.3.3 | Retain documents as required | *** |
| 7 | Collecting safety data | | | |
| | 7.1 | Report dangerous goods accidents | ** | |
| | 7.2 | Report dangerous goods incidents | ** | |
| | 7.3 | Report undeclared/mis-declared dangerous goods | ** | |
| | 7.4 | Report dangerous goods occurrences | ** | |

SCHEDULE 5

Regulation 67

OFFENCES AND PENALTIES

| REG. NO. | TITLE | PART |
|-----------------|--|-------------|
| 4 | Dangerous Good Technical Instructions | B |
| 5 | Domestic Civil Aircraft Operations | A |
| 6 | Dangerous Good Specific Approval | A |
| 8 | Notification of Variations from the Technical Instructions | A |
| 9 | Surface Transport | A |
| 11 | Classification of dangerous goods operator | A |
| 12 | Dangerous goods permitted for transport by air | A |
| 13 | Dangerous goods forbidden for transport by air unless exempted | A |
| 14 | Dangerous goods forbidden for transport by air under any circumstances | B |
| 15 | Packing general requirements | A |
| 16 | Packaging | B |
| 17 | Labels | A |
| 18 | Markings | A |
| 19 | Languages to be used for markings | B |
| 20 | General requirements for markings | B |
| 21 | Dangerous goods transport documents | B |
| 22 | Language to be used for dangerous goods document | B |
| 23 | Safety Management System | A |

| | | |
|----|--|---|
| 24 | Acceptance for Transport | A |
| 25 | Acceptance checklist | A |
| 26 | Loading and stowage | B |
| 27 | Inspection for damage or leakages | A |
| 28 | Loading restriction in passenger cabin or on flight deck | A |
| 29 | Removal of contamination | A |
| 30 | Separation and Segregation | A |
| 31 | Securing of dangerous goods cargo load | A |
| 32 | Loading on cargo aircraft | A |
| 33 | Dangerous goods manual | B |
| 34 | Information to Pilot-in-command | B |
| 35 | Information and Instruction to flight crewmember | A |
| 36 | Information to Passengers | A |
| 37 | Information to other persons | A |
| 39 | Establishment of Training Programmes | A |
| 40 | Initial dangerous good training | B |
| 41 | Approval of training programme | B |
| 42 | Training Curriculum | B |
| 43 | Qualifications of instructors | A |
| 44 | Inspection System | A |
| 44 | Foreign and domestic Inspections | A |
| 46 | Corporation between States | A |

| | | |
|----|--|---|
| 48 | Dangerous goods by mail | A |
| 49 | Dangerous goods accident and incident reporting | B |
| 50 | Dangerous goods security provisions | A |
| 51 | First aid kit and emergency medical kit at warehouse | B |
| 52 | First Aid Kit | A |
| 53 | First aid box contents | A |
| 54 | Helicopter operations | A |
| 55 | Transportation of radioactive materials | B |
| 58 | Inspection of certificates or specific approvals for dangerous goods | A |
| 62 | Drug and alcohol testing and reporting | B |
| 64 | Use and retention of documents and records | A |

Cross References

Civil Aviation (Commercial Air Transport by Foreign Air Operator within Uganda) Regulations, 2022, S.I. No. 81 of 2022

Civil Aviation (Aircraft Accident and Incident Investigation) Regulations, 2022, S.I. No. 66 of 2022

Civil Aviation (Security) Regulations, 2022, S.I. No. 92 of 2022

GEN. EDWARD KATUMBA WAMALA (MP)
Minister for Works and Transport.

