



Director General of Civil Aviation Authority of the Republic of Kosovo,

Pursuant to Articles 2.2, 3.4, 15.1 (a), (c), (d), (e), (j), 21.2, 57 and 59 of the Law No 03/L-051 on Civil Aviation ("Official Gazette" of the Republic of Kosovo, Year III, No 28, 4 June 2008),

For the purpose of describing the national competent authority, the programme for the transport of dangerous goods by air, exceptions, approvals, exemptions, classifications, limitations on the transport of dangerous goods, packaging, labelling and marking, the shipper's responsibility, the operators responsibility, freight forwarders responsibility, ground handling service provider and cargo handling agents responsibilities, storage, provision of information, training, retention of documents and records, compliance and enforcement mechanism, reporting of dangerous goods occurrences and provisions relating to the dangerous goods security,

After having completed public consultation process with all interested parties pursuant to the Administrative Instruction No 01/2012 on public consultation of interested parties,

Hereby issues the following:

**REGULATION No 8/2014 ON
THE CONDITIONS AND METHODS OF TRANSPORTING DANGEROUS
GOODS BY AIR**

**Article 1
Scope**

1.1 This Regulation describes the national competent authority, the programme for the transport of dangerous goods by air, exceptions, approvals, exemptions, classifications, limitations on the transport of dangerous goods, packaging, labelling and marking, the shipper's responsibility, the operators responsibility, freight forwarders responsibility, ground handling service provider and cargo handling agents responsibilities, storage, provision of information, training, retention of documents and records, compliance and enforcement mechanism, reporting of dangerous goods occurrences and provisions relating to the dangerous goods security.

1.2 This Regulation shall apply to the national competent authority and approved:

- a) shippers;
- b) freight forwarders;
- c) ground handling service providers and cargo handling agents;
- d) operators, and
- e) training providers.

1.3 This Regulation shall apply to any organization, company or individual who provides services related to:

- a) shipments of dangerous goods offered for carriage by air; and
- b) passenger and baggage handling.

1.4 This Regulation shall apply to the designated postal operator.

1.5 The provisions of this Regulation and the provisions of the Technical Instructions for the Safe Transport of Dangerous Goods by Air (ICAO Doc 9284-AN/905) shall apply to all civil aircraft operations engaged in international and domestic air transport.

1.6 Dangerous goods intended for transport by air and prepared in accordance with the Technical Instructions shall be accepted for road transport to or from airports pursuant to the provisions of Law on Land Transport of Dangerous Goods.

Article 2 **Definitions**

Terms used in this Regulation shall have the following meanings:

Approval - means an authorisation granted by the competent national authority for:

- a) the transport of dangerous goods forbidden on passenger and/or cargo aircraft where the Technical Instructions state that such goods may be carried with an approval; or
- b) other purposes as provided for in the Technical Instructions;

Approval for the transport of Class 7 material - means an approval issued by the Kosovo Agency on Protection from Radiation and Nuclear Safety (KAPRNS) in coordination with the Civil Aviation Authority of Kosovo (CAAK);

- a) **Multilateral approval** - means the approval by the relevant competent authority of the State of origin of the design or shipment, as applicable, and also, where the consignment is to be transported through or into any other State, approval by the competent authority of that State.
- b) **Unilateral approval** - means the approval of a design which is required to be given by the competent authority of the State of origin of the design only;

Baggage - means personal property of passengers or crew carried on an aircraft by agreement with the operator;

Basel Convention - means Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal adopted on 22 March 1989 in Basel, Switzerland;

Cargo - for the purposes of this Regulation, means any property carried on an aircraft other than mail and accompanied or mishandled baggage;

Cargo aircraft - means any aircraft, other than a passenger aircraft, which is carrying goods or property;

Cargo IMP Codes - means a standard system of coding for cargo message elements. IMP codes are used by operators in data exchange in order to minimise data transmission time;

Combination packagings - means a combination of packagings for transport purposes, consisting of one or more inner packagings secured in an outer packaging in accordance with the relevant provisions of Part 4 of the Technical Instructions.

Competency-based training and assessment - means a training and assessment that are characterized by a performance orientation, emphasis on standards of performance and their measurement, and the development of training to the specified performance standards;

Competent Authority - means a body or authority designated or otherwise recognized as such for any purpose in connection with the Technical Instructions;

Consignee - means any person, organization or government which is entitled to take delivery of a consignment;

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;

Crew member - means a person assigned by an operator to duty on an aircraft during a flight duty period;

Dangerous goods - means articles or substances which are capable of posing a risk to health, safety, property or the environment and which are shown in the list of dangerous goods in the Technical Instructions, or which are classified pursuant to the 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 Certificate - means a Certificate issued by the Civil Aviation Authority of the Republic of Kosovo confirming that the organization, enterprise or person who provides services related to the transport of dangerous goods by air meet the prescribed requirements;

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. Any occurrence relating to the transport of dangerous goods which seriously jeopardizes the aircraft or its occupants is also deemed to be a dangerous goods incident;

Dangerous goods program: - means activities carried out by national competent authority to comply with the requirements of ICAO Annex 18 - The Safe Transport of Dangerous Goods by Air;

Dangerous goods security: - means measures or precautions to be taken by operators, shippers and others involved in the transport of dangerous goods aboard aircraft to minimize theft or misuse of dangerous goods that may endanger persons or property;

Designated postal operator - means any governmental or non-governmental entity officially designated by the Republic of Kosovo to operate postal services and to fulfil the related obligations arising from the acts of the Universal Postal Union (UPU) Convention on its territory;

Exception - means a provision in this Regulation and the Technical instructions which excludes a specific item of dangerous goods from the requirements normally applicable to that item;

Exemption - means an authorisation, other than an approval, granted by a competent national authority providing relief from the provisions of the Technical Instructions.

AIR-OPS - means Commission Regulation (EU) No 965/2012 of 5 October 2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council, as amended;

EU-OPS - means Council Regulation (EEC) No 3922/91 of 16 December 1991 on the harmonisation of technical requirements and administrative procedures in the field of civil aviation, as amended;

Flight crew member - means flight crew member. A licensed crew member charged with duties essential to the operation of an aircraft during a flight duty period;

Freight forwarder - means a person or organization who offers the service of arranging the transport of cargo by air;

Function specific training - means training that aims providing a detailed knowledge about the requirements of the Technical Instructions commensurate with the responsibilities of that personnel;

General familiarisation training - means training that aims getting familiar with the general requirements of the Technical Instructions;

Handling agent - means a company/organization appointed by an airline to perform ground handling service provider functions;

IATA - means the International Air Transport Association;

ICAO - means the International Civil Aviation Organization;

ID number - means a temporary identification number specified in the Technical Instructions for an item of dangerous goods which has not been assigned a UN number;

Inspector - means an employee of the Civil Aviation Authority of the Republic of Kosovo having been accorded this title after fulfilment of necessary conditions set forth in the respective Manual and in accordance with the prescribed procedures in the Quality Manual, who are entitled to carry out specific oversight duties set forth in this Regulation and the Law No 03/L-051 on Civil Aviation;

Incompatible - Describing dangerous goods which, if mixed, would be liable to cause a dangerous evolution of heat or gas or produce a corrosive substance;

Inner packagings - means packagings for which an outer packaging is required for transport;

Limitations - means the limitations that are placed on dangerous goods which are permitted to be transported by air;

Lithium battery - "Battery" means two or more cells which are electrically connected together and fitted with devices necessary for use, for example, case, terminals, marking and protective devices. A single cell lithium battery is considered a "cell". The term "lithium battery" refers to a family of different chemistries, comprising many types of cathodes and electrolytes. For the purposes of the Regulations they are separated into:

- Lithium metal batteries; and
- Lithium-ion batteries (sometimes abbreviated Li-ion batteries);

Lithium cells - means a single encased electrochemical unit (one positive and one negative electrode) which exhibits a voltage differential across its two terminals;

Loadmaster - means crew member on cargo aircraft responsible for loading freight and personnel and the weight and balance of the aircraft;

Mail - means dispatches of correspondence and other items tendered by, and intended for delivery to, postal services in accordance with the rules of the Universal Postal Union (UPU).

Misdeclared dangerous goods - means dangerous goods offered for transport by air, which are:

- a) incorrectly entered on the Shipper's Declaration for Dangerous Goods so that when they would be properly entered, they wouldn't be accepted for transport, or
- b) found, during the normal acceptance procedure, that they don't comply with the provisions of the Technical Instructions;

Operator - means a person, organization or enterprise engaged in or offering to engage in an aircraft operation;

Outer packaging - means the outer protection of a composite or combination packaging together with any absorbent materials, cushioning and any other components necessary to contain and protect inner receptacles or inner packagings;

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. A unit load device is not included in this definition;

Package - means the complete product of the packing operation, consisting of the packaging and its contents prepared for transport;

Packaging - means one or more receptacles and any other components or materials necessary for the receptacles to perform their containment and other safety functions;

Packing group - means an indication of the relative degree of danger presented by various articles and substances within a class or division. Roman numerals I, II and III are used to represent "high danger", "medium danger", and "low danger" respectively;

Passenger aircraft - means an aircraft that carries any person other than a crew member, an operator's employee in an official capacity, an authorized representative of an competent national authority or a person accompanying a consignment or other cargo;

Patient specimens - means specimens collected directly from humans or animals, including, but not limited to, excreta, secreta, blood and its components, tissue and tissue fluid swabs, and body parts being transported for purposes such as research, diagnosis, investigational activities, disease treatment and prevention;

Permission - means an authorization issued by the Civil Aviation Authority of Kosovo in coordination with Kosovo Agency on Protection from Radiation and Nuclear Safety (KAPRNS), respectively Ministry of Internal Affairs (MIA) for transportation of weapons and munitions, including explosives and other dangerous goods, such as noxious or toxic gasses, nuclear fuel and radioactive materials.

Pilot-in-command - 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;

Recurrent training - means the training that is provided within 24 months of previous training to ensure knowledge is current. However, if recurrent training is completed within the final three months of validity of previous training, the period of validity extends from the month on which the recurrent training was completed until 24 months from the expiry month of that previous training;

Safety training - means training that indicates the hazards posed by the dangerous goods, safe handling and emergency response;

Serious injury - means an injury which is sustained by a person in an accident and which:

- a) requires hospitalization for more than 48 hours, commencing within seven days from the date the injury was received; or
- b) results in a fracture of any bone (except simple fractures of fingers, toes or nose); or
- c) involves lacerations which cause severe haemorrhage, nerve, muscle or tendon damage; or
- d) involves injury to any internal organ; or
- e) involves second or third degree burns, or any burns affecting more than 5 per cent of the body surface; or
- f) involves verified exposure to infectious substances or injurious radiation;

Shipper - means any person, organization or government which is entitled to prepare a consignment for transport;

State of Destination - means the State in the territory of which the consignment is finally to be unloaded from an aircraft;

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 operator's principal place of business is located or, if there is no such place of business, the operator's permanent residence;

Stores (supplies) - a) Stores (supplies) for consumption; and b) Stores (supplies) to be taken away.

Stores (supplies) for consumption. Goods, whether or not sold, intended for consumption by the passengers and the crew on board aircraft, and goods necessary for the operation and maintenance of aircraft, including fuel and lubricants.

Stores (supplies) to be taken away. Goods for sale to the passengers and the crew of aircraft with a view to being landed.

Items that meet the classification as dangerous goods and which are transported in accordance with Part 1; 2.2.2 or Part 1; 2.2.3 are considered as "cargo";

Technical instructions - means the current edition of the ICAO Technical Instructions for the Safe Transport of Dangerous Goods by Air (Doc 9284), approved and published by decision of the Council of the International Civil Aviation Organization;

Training program - means a method developed for conduction of training, consisting of lectures, materials related to the course (such as brochures, projections, video materials, exercises, etc.), examples of test questions and teaching notes;

Training provider - means a person, organization or enterprise that offers or delivers training;

Undeclared dangerous goods - means dangerous goods offered for transport by air not accompanied by the Shipper's Declaration for Dangerous Goods, information on the electronic form relating to the shipment or, if allowed, any other documents;

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. An overpack or a freight container for radioactive material is not included in this definition;

UN number - means the four-digit number assigned by the United Nations Committee of Experts on the Transport of Dangerous Goods to identify a substance or a particular group of substances;

Article 3 **National Competent Authority**

3.1 The Civil Aviation Authority of the Republic of Kosovo (hereinafter: **CAAK**) is the national competent authority in the Republic of Kosovo responsible for the transport of dangerous goods by air, pursuant to the ICAO criteria.

3.2 **CAAK** shall draft secondary legislation and propose amendments to the legislation for the safe transport of dangerous goods by air. **CAAK** shall take the necessary measures to achieve harmonisation of national legislation with the provisions laid down in the Technical Instructions and its amendments that could be published during a certain period of application of the latest edition of the applicable Technical Instructions.

3.3 In order to facilitate smooth transport of dangerous goods from another State in the territory of the Republic of Kosovo, in accordance with the amendments to the Technical Instructions, which for safety reasons take immediate effect, but not yet entered into force in the Republic of Kosovo, **CAAK** will enable transport of such dangerous goods, in accordance with the amendments to the Technical Instructions, provided that the goods fully comply with the amended requirements.

3.4 **CAAK** shall inform the ICAO on the adopted legislation in the Republic of Kosovo and the difficulties encountered in the implementation of the Technical Instructions and, if necessary, propose amendments to the Technical Instructions.

3.5 CAAK shall cooperate with the competent authorities of other States regarding violations of regulations governing the transport of dangerous goods, in order to end such violations. Cooperation may involve the coordination of investigations and measures enforcing compliance, exchange of information on the regulatory status in the previous period, joint inspections and other activities, exchange of professional staff, and participation in joint meetings and conferences. Appropriate information that the authorities can exchange are safety notices, bulletins or notices about dangerous goods, proposed and taken legal measures, occurrence reports, documents and other evidences collected in the investigation of the occurrence, proposed and final corrective measures taken to ensure compliance and materials used in the training/research, suitable for the general public.

3.6 CAAK shall review and establish procedures to control the postal service regarding acceptance of dangerous goods contained in postal packages or mail that is transported by air, in accordance with international procedures for controlling the introduction of dangerous goods into air established by the Universal Postal Union.

Article 4

The programme for the transport of dangerous goods by air

4.1 CAAK shall issue and, when necessary, amend the programme for transport of dangerous goods by air.

4.2 Priorities of the programme for the transport of dangerous goods are based on:

- a) the relevant provisions of the Law No 03/L-051 on Civil Aviation and subsidiary legislation for its implementation;
- b) the priorities determined by the Director General of CAAK in accordance with international and national programme priorities;
- c) training of professional and competent employees, who have been delegated responsibilities in respect of dangerous goods, and attending appropriate trainings needed to be able to perform the duties delegated to them;
- d) the preparation of plans for:
 - i) oversight activities (inspections and audits);
 - ii) trainings, and
 - iii) allocation of the necessary funds.

4.3 CAAK shall issue and, when necessary, amend the programme to inform the aviation public about dangerous goods.

4.4 CAAK shall ensure that the information is published in such way that will alert the passengers on those types of dangerous goods that are prohibited for carriage by air as defined in the Technical Instructions.

4.5 CAAK shall appoint the contact person(s) for the implementation of the programme for transport of dangerous goods and inform ICAO.

4.6 The main activities of person(s) designated to carry out the programme for the transport of dangerous goods are:

- a) participation in the work of the National Interministerial Commission for the Transport of Dangerous Goods, which acts as an advisory body to the Ministry of Infrastructure, for coordination of transport of dangerous goods between Ministries and relevant Agencies;
- b) responding to inquiries from the aviation industry regarding the conditions and methods of transport of dangerous goods by air;
- c) participating in the preparation of national regulations and requirements for the transport of dangerous goods;
- d) conducting the certification and oversight of entities involved in the transport of dangerous goods by air;
- e) reviewing manuals and training programmes;
- f) conducting investigation of the occurrences that are the result of violation of regulation on dangerous goods;
- g) representing CAAK at meetings and workshops, associated with dangerous goods, organised by national and international organisations and professional associations, and
- h) planning, preparation and implementation of the programme of informing the aviation travelling public about dangerous goods.

Article 5 Exceptions

5.1 Articles and substances that are classified as dangerous goods, which are required to be aboard the aircraft in accordance with the pertinent airworthiness and

operating requirements, or those articles and substances that have a special purpose specified in the Technical Instructions, are exempted from the provisions of this Regulation.

5.2 Articles and substances intended as a replacement for those described in paragraph 1 of this Article, or articles and substances which have been removed for replacement, shall be transported in accordance with the provisions of this Regulation, unless otherwise stipulated in the Technical Instructions.

5.3 Specific articles and substances carried by passengers or crew members are exempted from the provisions of this Regulation in accordance with the Technical Instructions.

Article 6 Approval

6.1 When it is specifically provided for in the Technical Instructions, CAAK may issue an approval for the transport of dangerous goods that are forbidden for transport by passenger and/or cargo aircraft provided that the achieved level of safety during transport is equivalent to that provided in the Technical Instructions.

6.2 If in the Technical Instructions, there are no specific provision permitting issuance of approval, request for issuance of an exemption may be requested. (Application form for granting an approval/exemption for the transport of dangerous goods as referred to in paragraph 1 and 2 of this Article is available on the CAAK website).

Article 7 Exemption

7.1 Except for articles and substances that are prohibited for transport by air under any circumstance, CAAK may grant an exemption from the provisions of the Technical Instructions provided that the operator demonstrates that the overall level of safety in transport is equivalent to the level of safety provided for in the Technical Instructions in the cases of:

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

7.2 In the case of overflight, when none of the criteria for the issuance of the exemption is applicable, the exemption may be granted solely on the basis of trust that an equivalent level of safety in air transport has been achieved.

7.3 Guidelines for handling the applications for exemptions, including examples of extreme urgency, can be found in the Supplement to the Technical Instructions (Part S-1; 1.2 and 1.3).

Article 8 Permission

8.1 Pursuant to the Article 57 of the Law No 03/L-051 on Civil Aviation, weapons and munitions, including explosives and noxious or toxic gasses, shall only be carried on board an aircraft:

- i) with the express written permission of CAAK,
- ii) under the supervision of the pilot-in-command, and
- iii) in strict conformity with national and international regulations.

8.2 Pursuant to the Article 59 of the Law No 03/L-051 on Civil Aviation, other dangerous goods, such as noxious or toxic gasses, nuclear fuel and radioactive materials may only be carried:

- i) with the express written permission of CAAK, and
- ii) only under the conditions set by CAAK in its Implementing Regulations of the Law on Civil Aviation, which shall take into account existing national and international rules and regulations.

8.3 Application form for permission of transporting dangerous goods as referred to in paragraph 1 and 2 of this Article is available on the CAAK website.

Article 9 Classification of Dangerous Goods

9.1 Substances (including mixtures and solutions) and articles as referred to in this Regulation and Technical Instructions are assigned to one of nine classes depending on the hazard or the most predominant hazard they may present. Some of these classes are subdivided into divisions.

9.2 These classes and divisions are the following:

Class 1: Explosives

- Division 1.1: Substances and articles which have a mass explosion hazard
- Division 1.2: Substances and articles which have a projection hazard but not a mass explosion hazard
- Division 1.3: Substances and articles which have a fire hazard and either a minor blast hazard or a minor projection hazard or both, but not a mass explosion hazard
- Division 1.4: Substances and articles which present no significant hazard
- Division 1.5: Very insensitive substances which have a mass explosion hazard
- Division 1.6: Extremely insensitive articles which do not have a mass explosion hazard

Class 2: Gases

- Division 2.1: Flammable gases
- Division 2.2: Non-flammable, non-toxic gases
- Division 2.3: Toxic gases

Class 3: Flammable liquids

Class 4: Flammable solids; substances liable to spontaneous combustion; substances which, on contact with water, emit flammable gases

- Division 4.1: Flammable solids, self-reactive and related substances and desensitized explosives
- Division 4.2: Substances liable to spontaneous combustion
- Division 4.3: Substances which, in contact with water, emit flammable gases

Class 5: Oxidizing substances and organic peroxides

- Division 5.1: Oxidizing substances
- Division 5.2: Organic peroxides

Class 6: Toxic and infectious substances

- Division 6.1: Toxic substances
- Division 6.2: Infectious substances

Class 7: Radioactive material

Class 8: Corrosive substances

Class 9: Miscellaneous dangerous substances and articles, including environmentally hazardous substances

9.3 The numerical order of the classes and divisions does not determine the degree of danger.

9.4 Many of the substances assigned to Classes 1 to 9 are deemed, without additional labelling, as being environmentally hazardous.

9.5 Wastes shall be transported under the requirements of the appropriate class, considering their hazards they may present and the criteria set out in the Technical Instructions. Wastes not otherwise subject to the Technical Instruction, but covered under the Basel Convention, may be transported under Class 9.

9.6 For packing purposes, substances other than those of Classes 1, 2 and 7, Divisions 5.2 and 6.2 and self-reactive substances of Division 4.1 are assigned to three packing groups in accordance with the degree of danger they present:

Packing Group I: Substances presenting high danger

Packing Group II: Substances presenting medium danger

Packing Group III: Substances presenting low danger

9.7 Dangerous goods presenting a danger of a single class and division are assigned to that class and division and the degree of danger (packing group), if applicable, determined. When an article or substance is specifically listed by name in the Technical Instructions list, its class or division, its subsidiary risk(s) and, when applicable, its packing group are taken from that list.

9.8 Where a substance or article is not specifically listed by name in the list of dangerous goods of the Technical Instructions and there are two or more hazards of Class 3, 4 or 8 or Division 5.1 or 6.1 associated with its air transport in that it meets the definition for two of those classes or divisions in the Technical Instructions, it shall be classified in accordance with the precedence of hazards table in the Technical Instructions.

Article 10 Limitations on the transport of dangerous goods by air

10.1 The dangerous goods described hereunder shall be forbidden on aircraft unless CAAK has granted an exemption in accordance with Article 7 of the present Regulation

or unless the provisions of the Technical Instructions indicate they may be transported under an approval granted by the State of Origin:

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

10.2 Articles and substances that are specifically identified by name or by generic description in the Technical Instructions as being forbidden for transport by air under any circumstances shall not be carried on any aircraft.

Article 11 Packing

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

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

11.3 Packagings shall be suitable for the contents. Packagings in direct contact with dangerous goods shall be resistant to any chemical or other action of such goods.

11.4 The packaging shall comply with the specifications laid down in the Technical Instructions regarding materials and construction.

11.5 The packaging shall be tested in accordance with the provisions of the Technical Instructions.

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

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

11.8 No packaging shall be reused until it has been inspected and found free from corrosion or other damage. Where a packaging is reused, all necessary measures shall be taken to prevent contamination of subsequent contents.

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

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

Article 12 Labelling and Marking

12.1 Each package of dangerous goods shall be labelled with appropriate labels and in accordance with the provisions set forth by the Technical Instructions.

12.2 Each package of dangerous goods shall be marked with the proper shipping name of its contents and, when assigned, the UN number and such other markings as may be specified in the Technical Instructions.

12.3 Labelling and Marking shall be permanent and visible, during the reception, dispatch, transport and storage. Labels and marks required by the Technical Instructions shall not be covered or obscured by any part of or attachment to the packaging or any other label or mark.

12.4 Packaging manufactured to a specification contained in the Technical Instructions shall be so marked in accordance with the appropriate provisions of the Technical Instructions and no packaging shall be marked with a packaging specification marking unless it meets the appropriate packaging specification contained in Technical Instructions

12.5 For all international flights departing from the Republic of Kosovo, official languages shall be used for marking of dangerous goods, beside the English language which may be required by the State of transit or destination.

Article 13 Dangerous Goods Certificate

13.1 Dangerous goods shall be accepted and forwarded only by those entities (shippers, freight forwarders, ground handling service provider, cargo handling agent and operators) to whom CAAK has issued a Certificate as competent to perform these operations, and who are in possession of a valid dangerous goods Certificate.

13.2 In order to obtain a dangerous goods Certificate, an entity shall:

- a) submit a completed application form for the issuance/renewal of dangerous goods Certificate with the supporting documents required (Application form is available on the CAAK website);
- b) establish internal procedures (Standard Operating Procedures - SOP), describing in details the process of reception, storage and dispatch of a consignment of dangerous goods, reporting of occurrences involving dangerous goods and a detailed breakdown of operating procedures. Standard operating procedures may be found in other documents (ex. Operations manual, Aerodromes manual, etc);
- c) have access to current Regulations on dangerous goods; and
- d) appoint a dangerous goods coordinator, which must be accepted by CAAK.

13.3 Dangerous goods Certificate is issued for a period not exceeding two years from the date of issuance, excluding articles listed in Article 8 to this Regulation.

13.4 The holder of the dangerous goods Certificate is responsible for the timely submission of the application for renewal of the Certificate, before the expiry date.

13.5 The air operators, whose principal place of business is in the European Union, having their Air Operator Certificate - AOC issued and operating in accordance with the requirements of Annex III of the Regulation (EEC) 3922/91 (EU-OPS) as amended, are not required to obtain a dangerous goods Certificate issued by CAAK, provided they have special authorisation/approval for the transport of dangerous goods by air, issued by the Competent Authority issuing the AOC.

13.6 If the shipper does not have trained personnel in accordance with the Technical Instructions, he may enter into a written agreement with the appropriately certified freight forwarder performing on shipper's behalf tasks related to shipping dangerous goods for transport by air.

Article 14

Dangerous Goods Coordinator

14.1 Each approved shipper, freight forwarder, ground handling service provider and cargo handling agent and operators, performing activities related to the transport of dangerous goods by air, shall appoint one or more dangerous goods coordinator(s).

14.2 The dangerous goods coordinator can be the manager of the enterprise, or another person performing other duties in that enterprise, or a person not directly employed by that enterprise, provided that the person is capable of performing the duties of dangerous goods coordinator.

14.3 With regards to the activities of entrepreneurs, dangerous goods coordinator shall perform the following duties:

- a) monitor compliance with the requirements for the handling and transport of dangerous goods;
- b) advise the management and responsible officials on the transport of dangerous goods;
- c) prepare annual reports for management (annual reports shall be stored for a period of five years and shall be available to CAAK upon request);
- d) ensure that all persons are adequately trained in accordance with their scope of duties and in possession of valid certificates of examination regarding dangerous goods;
- e) ensure the maintenance of dangerous goods records;
- f) supervise the application of the emergency procedures;
- g) prepare and supervise the maintenance and update internal procedures and relevant documents; and
- h) investigate the occurrences involving dangerous goods in accordance with the provisions of this Regulation and submits the reports to CAAK.

14.4 The dangerous goods coordinator shall submit the application form for acceptance of dangerous goods coordinator (available on the CAAK website), accompanied with:

- a) a copy of a valid Certificate that he/she has successfully completed a training programme on dangerous goods for Category 6;
- b) evidence of at least two years of experience working with dangerous goods or cargo operations, including acceptance and shipping, and
- c) Curriculum Vitae (CV).

14.5 When applying for acceptance, training certificate as required in paragraph 4 a) of this Article, shall be valid for at least three months from the date of application and the information about the arrangements for recurrent training shall be provided.

14.6 Upon completion of recurrent training on dangerous goods, the coordinator shall submit to CAAK a copy of valid training certificate.

Article 15
Revocation of Dangerous Goods Certificate

15.1 CAAK shall temporary revoke dangerous goods Certificate issued to the holder if:

- a) the Certificate holder no longer meets the requirements set forth by this Regulation, or
- b) found that the Certificate holder was involved and/or contributed to an accident or incident involving dangerous goods or another occurrence that could endanger or jeopardize the safety of air transport, or
- c) not cooperating sufficiently in respect of CAAK's findings and the given deadlines for the elimination of non-compliances.

15.2 CAAK shall permanently revoke the dangerous goods Certificate if:

- a) requested by the Certificate holder, or
- b) the Certificate holder performs activities which require another approval, which is not obtained, or
- c) the Certificate holder fails to provide evidence on the elimination of findings that led to temporary revocation of Certificate, or
- d) the Certificate holder intentionally or negligently submitted to CAAK inaccurate information on significant issues.

Article 16
Shipper's Responsibility

16.1 Before a shipper offers any package or overpack of dangerous goods for transport by air, that shipper shall ensure:

- a) the goods are not forbidden for transport by air;
- b) if the goods are forbidden for transport by air without prior approval, the shipper is responsible to obtain the approval, in addition to those specified in the Technical Instructions;

- c) that the goods are properly classified, packed, marked, labelled, and accompanied by a properly executed dangerous goods transport document, as specified in this Regulation and the Technical Instructions.

16.2 The shipper shall ensure that dangerous goods transport document:

- a) unless otherwise provided for in the Technical Instructions, the shipper of dangerous goods shall complete, sign and provide to the operator a dangerous goods transport document which shall contain the information required by the Technical Instructions;
- b) the transport document shall bear a declaration signed by the shipper of the dangerous goods indicating:
 - i) that the dangerous goods are fully and accurately described by their proper shipping names, and
 - ii) that they are classified, packed, marked, labelled, and in proper condition for transport by air in accordance with the relevant regulations;
- c) for all international flights departing from the Republic of Kosovo, the official languages shall be used on the dangerous goods transport document, beside the English language which may be required by the State of transit or destination.

Article 17

Operator's Responsibility

17.1 The holder of an Air Operator Certificate (AOC) issued by the Civil Aviation Authority of the Republic of Kosovo shall include in the Operations Manual and other relevant documents, if applicable, a section relating to the relevant procedures for flight and ground crew in respect of the stowage and carriage of dangerous goods by air and a section dealing with the procedures to ensure that consignments received from shippers and ground handling service provider agents are in compliance with the requirements of the Technical Instructions and shall include emergency procedures in accordance with ICAO Emergency Response Guidance (Doc. No 9481-AN/928) for aircraft incidents involving carriage of dangerous goods.

17.2 An aircraft 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; and

- b) until the package, overpack or freight container containing dangerous goods has been inspected in accordance with the acceptance procedures contained in the Technical Instructions. (Note. Special provisions relating to the acceptance of overpacks are contained in the Technical Instructions).

17.3 The operator shall develop and use an acceptance checklist in compliance with the provisions of paragraph 1 of this Article.

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

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

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

17.7 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 the remainder of the consignment is in a proper condition for transport by air and that no other package has been contaminated.

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

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

17.10 Any dangerous pollution that is found in an aircraft as a result of leakage or damage of dangerous goods shall be removed without delay.

17.11 Any hazardous contamination found on an aircraft as a result of leakage or damage to dangerous goods shall be removed without delay. An aircraft, which has been contaminated by radioactive materials, shall be reported immediately to the KAPRNS and 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 and recommendations of the KAPRNS.

17.12 Packages containing dangerous goods that 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 leakage. As a minimum, the segregation scheme shown in the Technical Instructions must be followed in order to maintain acceptable segregation between packages containing dangerous goods having different hazards. The scheme applies irrespective of whether the hazard is the primary or subsidiary risk.

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

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

17.15 Magnetized material shall be loaded so that headings of aircraft compasses are maintained within the tolerances prescribed by the applicable aircraft airworthiness requirements and, where practical, in locations minimizing possible effects on compasses. For magnetized material transported under the conditions of an approval described in Packing Instruction 953, loading must be in accordance with conditions specified in the authorizing approval.

17.16 Dry ice (carbon dioxide, solid), when shipped by itself or when used as a refrigerant for other commodities, may be carried provided the operator has made suitable arrangements dependent on the aircraft type, the aircraft ventilation rates, the method of packing and stowing, whether animals will be carried on the same flight, and other factors. The operator shall ensure that ground staff is informed that the dry ice is being loaded or is on board the aircraft.

17.17 Where dry ice is contained in a unit load device or other type of pallet prepared by a single shipper in accordance with Packing Instruction 954 and the operator, after acceptance, adds additional dry ice, then the operator shall ensure that the information provided to the pilot-in-command reflects that revised quantity of dry ice.

17.18 When loaded in an aircraft, the operator shall protect the dangerous goods from being damaged, and shall secure such dangerous goods in the aircraft in such a manner that will prevent any movement in flight which would change the orientation of the package.

17.19 Except as provided for in the Technical Instructions, packages of dangerous goods bearing the label "Cargo Aircraft Only", shall be loaded 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 in flight.

17.20 The operator or his general sales agent (GSA) shall keep a record of approved shippers and freight forwarders, entering into a contract for carriage of dangerous goods by air.

17.21 The operator or his general sales agent shall provide to the ground handling service provider and cargo handling agent the records referred to in paragraph 20 of this Article. These records shall also be provided to CAAK, upon the request.

Article 18 Freight Forwarder's Responsibility

18.1 A freight forwarder taking on classification, packing and marking of a consignment on behalf of a shipper shall ensure that the provisions on classification, packaging and marking in this Regulation and in the Technical Instruction are met even though the shipper signs the transport document referred to in Article 16.2 (b) of the present Regulation.

18.2 Except to the provisions of this Regulation applying to the carriage of dangerous goods by air, freight forwarders engaged in forwarding activities shall also apply the General Conditions of the International Federation of Freight Forwarders Association (FIATA).

Article 19 Ground Handling Service Provider and Cargo Handling Agent Responsibility

19.1 The ground handling service provider and cargo handling agent pursuant to the provisions of the ground handling services agreement, undertakes the responsibility of the aircraft operator in meeting the requirements of Articles 17.2, 17.3, 17.4, 17.5, 17.6, 17.8, 17.9, 17.10, 17.12, 17.13, 17.14, 17.15, 17.16, 17.17, 17.18 and 17.19 of the present Regulation, when applicable.

19.2 The ground handling service provider and cargo handling agent shall keep a record of all operators approved in the carriage of dangerous goods by air of the airport where the service provider conducts its activities.

19.3 The ground handling service provider and cargo handling agent shall submit to CAAK the records referred to in paragraph 2 of this Article, upon request.

Article 20

Transport of Dangerous Goods by Post

20.1 In accordance with the Universal Postal Union (UPU) Convention, dangerous goods as defined in the Technical Instructions are not permitted in the mail, unless with the exceptions of those listed in paragraph 2 of this Article. CAAK shall ensure compliance with the provisions relating to the transport of dangerous goods by air.

20.2 The following dangerous goods may be accepted in mail for air carriage subject to the provisions of the Technical Instructions, which relate to such material:

- a) patient specimens as defined in Article 2 of the present Regulation provided that they are classified, packed and marked in accordance with the provision of Part 2; 6.3.2.3.6 of the Technical Instructions;
- b) infectious substances assigned exclusively to the category B (UN 3373), provided that they are packed in accordance with the requirements of Packing Instruction 650, and solid carbon dioxide (dry ice) when used as a refrigerant for UN 3373;
- c) radioactive material, whose activity does not exceed one-tenth of those listed in Part 2, Chapter 7, Table 2-15 of the Technical Instructions;
- d) lithium ion batteries contained in equipment (UN 3481), meeting the provisions of Section II of Packing Instructions 967. No more than four cells or two batteries may be mailed in any single package; and
- e) lithium metal batteries contained in equipment (UN 3091) meeting the provisions of Section II of Packing Instructions 970. No more than four cells or two batteries may be mailed in any single package.

20.3 The procedures of designated postal operators for controlling the introduction of dangerous goods in mail into air transport are subject to review and approval by CAAK.

20.4 Designated postal operator shall not accept dangerous goods as referred to in paragraph 2 a), b) and c) of this Article without the specific approval of CAAK.

20.5 Before a designated postal operator can introduce the acceptance of lithium batteries as referred to in paragraph 2 d) and e) of this Article, they must obtain a specific approval from CAAK.

Article 21

Storage

21.1 Storage facilities shall be designed in such a way that they can accept shipments of dangerous goods intended for arrival/departure, shipments of dangerous goods for temporary storage, and damaged shipments of dangerous goods, in special designated area.

21.2 Storage facilities shall be equipped with fire-fighting equipment and shall have the emergency procedures displayed in visible places.

21.3 Shipments of dangerous goods shall be separated from other cargo shipments.

21.4 Shipments of dangerous goods shall be stored or placed in specially designated area, which shall be properly marked.

21.5 Damaged shipments of dangerous goods shall be stored in a separate area.

21.6 Radioactive material shall be stored or placed in an appropriate area, specially reserved for that purpose. This area shall be marked with the appropriate placards for radioactive material.

21.7 Radioactive material shall be stored and separated providing adequate distance from the area where employees and customers have access in order to reduce radiation exposure, in accordance with the recommendations of the KAPRNS defining the conditions and standards for temporary storage of radioactive materials at the airports.

21.8 Access to storage facilities shall be restricted and only appropriately trained personnel should handle the shipment of dangerous goods.

Article 22

Provision of Information

22.1 The operator of an aircraft in which dangerous goods are to be carried shall provide the pilot-in-command, as early as practicable before departure of the aircraft, but in no case later than when the aircraft moves under its own power, written information as specified in the Technical Instructions.

22.2 The operator shall provide personnel with responsibilities for operational control of the aircraft (e.g. the flight operations officer, flight dispatcher, or designated ground personnel responsible for flight operations) with the same information that is required to be provided to the pilot-in-command (e.g. a copy of the written information provided to the pilot-in-command). Each operator must specify the personnel (job title or function) to be provided this information in its operations manual and/or other appropriate manuals.

22.3 The operator shall ensure that the publication of information in a manner that passengers are warned about the types of dangerous goods that are prohibited to carry on board, as required by the Technical Instructions.

22.4 An entity or an entrepreneur, who is not the operator (such as a travel agency), participating in the transport of passengers by air, should provide the information, to its travellers, on the types of dangerous goods that are prohibited to carry on board. As a minimum, this information should be a notice on those places where it comes into contact with passengers.

22.5 When provision is made for the check-in process to be completed remotely (e.g. via the Internet), the operator must ensure that information on the types of dangerous goods forbidden to be transport aboard an aircraft is provided to passengers. Textual or pictorial information must be such that the check-in process cannot be completed until the passenger, or a person acting on their behalf, has indicated that they have understood the restrictions on dangerous goods in baggage.

22.6 When provision is made for the check-in process to be completed at an airport by a passenger without the involvement of any other person (e.g. automated check-in facility), the operator or the airport operator must ensure that information on the types of dangerous goods which a passenger is forbidden to transport aboard an aircraft is provided to passengers. Information must be in pictorial form and should be such that the check-in process cannot be completed until the passenger has indicated that they have understood the restrictions on dangerous goods in baggage.

22.7 An operator or the operator's handling agent shall ensure that notices giving information about the transport of dangerous goods are sufficient in number, prominently displayed and provided at a visible location(s) at the cargo acceptance points to alert shippers/agents about any dangerous goods that may be contained in their cargo consignment(s). These notices shall include visual examples of dangerous goods, including batteries.

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

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

22.10 In the event of an aircraft accident, the operator of an aircraft carrying dangerous goods as cargo shall, provide information without delay, when reporting the accident to

the responsible accident investigation agency of the State concerned, to that agency and to emergency personnel responding to the accident about the dangerous goods on board, as shown on the written information to the pilot-in-command.

22.11 In the event of an aircraft incident, the operator of an aircraft carrying dangerous goods shall, upon request, provide information without delay, when reporting the accident to the responsible accident investigation agency of the State concerned, to that agency and to emergency personnel responding to the incident about the dangerous goods on board, as shown on the written information to the pilot-in-command.

Article 23 **Certification of Training Providers**

23.1 The training provider is an organisation that has adequate staff, equipment, operating in appropriate environment and conducting theoretical training in accordance with the training programme approved by CAAK.

23.2 An organization intending to conduct training for dangerous goods shall be approved by CAAK. Application form for certification of training provider (available on the CAAK website) should include the following:

- a) application form for the issuance of the certificate for training provider;
- b) description of the organisational structure;
- c) list of the qualifications of managerial staff and instructors;
- d) description of classrooms and other facilities;
- e) description of the training programme, including manuals, curricula, schedules and teaching materials;
- f) description of the quality assurance system.

23.3 The training provider shall ensure a minimum technical and hygienic condition of the facilities in which training is conducted is in accordance with the applicable regulations for education.

23.4 The training provider shall ensure that instructors receive the latest amendments of Technical Instructions and/or new editions of IATA's Dangerous Goods Regulations and training materials.

23.5 The training provider shall:

- a) establish training programmes as specified in the Technical Instructions, applying to different categories of personnel;
- b) ensure that the training programme is in accordance with dangerous goods training programmes, approved by CAAK;
- c) submit the request for approval of training programme every two years, with each new edition of the Technical Instructions;
- d) ensure that the training is conducted by competent instructors;
- e) establish programmes for initial and recurrent training with defined goals;
- f) ensure coverage of all relevant topics in order to meet the training objectives;
- g) provide detailed knowledge in order to ensure that training is appropriate for the duties and responsibilities of participants;
- h) include certain content in the hand-outs, notes, exercises, etc., in order to meet the minimum training requirements as per the Technical Instructions;
- i) determine the duration of the training programme based on the experience of the participants their previous knowledge and other factors, and maintain the required level of knowledge;
- j) adopt recurrent training programmes in line with the latest amendments and demands of the industry;
- k) ensure recurrent training within the time limits specified in the Technical Instructions;
- l) evaluate the knowledge of the participants at the end of training session, with an exam with clear and concise questions;
- m) ensure that the exam is not a memory test, but rather use of regulations and literature during the exam;
- n) establish necessary duration of the exam, precisely;
- o) issue certificates as proof of successful examination;
- p) maintain complete training records with all the necessary information;
- q) keep the initial and recurrent training records as specified in the Technical Instructions;

- r) use the Technical Instructions as the only authentic regulatory source for training, and
- s) if the current edition of the IATA Dangerous Goods Regulations is used for training, then a comparison with the mandatory requirements of the Technical Instructions, should be made.

Article 24

Suspension or Revocation of Training Providers Certificate

24.1 CAAK shall temporarily suspend the certificate issued to the training provider, if the provider:

- a) no longer meets the prescribed requirements, or
- b) fails to maintain the training programmes up-to-date, or
- c) not cooperates sufficiently in respect to CAAK findings and the given deadlines for the elimination of non-compliances.

24.2 CAAK shall revoke the certificate issued to the training providers, when:

- a) requested by the certificate holder, or
- b) the certificate holder performs activities which require another approval, which is not obtained, or
- c) the certificate holder fails to provide evidence on the eliminate of findings that led to the temporary suspension of certificate, or
- d) the certificate holder intentionally or negligently submitted to CAAK inaccurate information on significant issues.

Article 25

Training programmes

25.1 Training Providers shall establish and maintain initial and recurrent dangerous goods training programmes for:

- a) shippers of dangerous goods, including packers and persons or entities undertaking the responsibilities of the shipper;

- b) operators;
- c) ground handling agencies performing, on behalf of the operator, acceptance, handling, loading, unloading, transferring or other processing of cargo, mail or post;
- d) ground handling agencies located at the airport performing, on behalf of the operator, passenger processing;
- e) agencies, not located at the airport, performing, on behalf of the operator, check-in of passengers;
- f) freight forwarders;
- g) agencies engaged in the security screening of passengers their baggage and/or cargo, mail or stores; and
- h) designated postal operators.

25.2 Competency based training and assessment shall be carried out in accordance with the general provisions contained in Chapter 2 of the ICAO Procedures for Air Navigation Services – Training (PANS-TRG; Doc 9868)

25.3 Personnel shall be trained in the requirements commensurate with their responsibilities. Personnel identified in the categories specified in Table 1, 2 or 3 shall be trained or training shall be verified prior to the person performing any duty specified in Table 1, 2 or 3.

25.4 Recurrent training shall be provided within 24 months of previous training to ensure knowledge is current. However, if recurrent training is completed within the final three months of validity of previous training, the period of validity extends from the month on which the recurrent training was completed until 24 months from the expiry month of that previous training.

25.5 Security personnel is required to be trained in accordance with the Technical Instructions irrespective of whether the operator on which passenger or cargo is to be transported carries dangerous goods as cargo.

25.6 Dangerous goods training programmes required by paragraph 1 b) and h) of this Article shall be subjected to review and approval by CAAK.

25.7 Dangerous goods training programmes required by other than paragraph 1 b) and h) of this Article should be subject to review and approval by CAAK.

25.8 Application form for approval of dangerous goods training programme as referred to in paragraphs 6 and 7 of this Article is available on the CAAK website.

25.9 The subject matter relating to dangerous goods transport with which various categories of personnel should be familiar is indicated in Table 1.

25.10 Personnel of 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 personnel should be familiar with is indicated in Table 2.

25.11 Personnel of designated postal operators shall be trained commensurate with their responsibilities. The subject matter to which their various categories of personnel should be familiar with is indicated in Table 3.

Table 1 - Content of training courses for operators carrying dangerous goods as cargo or mail

Aspects of transport of dangerous goods by air with which they should be familiar, as a minimum	Shippers and packers		Freight forwarders			Operators and ground handling agents						Security staff
	1	2	3	4	5	6	7	8	9	10	11	12
General philosophy	X	X	X	X	X	X	X	X	X	X	X	X
Limitations	X		X	X	X	X	X	X	X	X	X	X
General requirements for shippers	X		X			X						
Classification	X	X	X			X						X
List of dangerous goods	X	X	X			X				X		
Packing requirements	X	X	X			X						
Labelling and marking	X	X	X	X	X	X	X	X	X	X	X	X
Dangerous goods transport document and other relevant documentation	X		X	X		X	X					
Acceptance procedures						X						
Recognition of undeclared dangerous goods	X	X	X	X	X	X	X	X	X	X	X	X
Storage and loading procedures					X	X		X		X		
Pilots' notification						X		X		X		
Provisions for passengers and crew	X	X	X	X	X	X	X	X	X	X	X	X
Emergency procedures	X	X	X	X	X	X	X	X	X	X	X	X

KEY

1. Shippers and persons undertaking the responsibilities of shippers
2. Packers
3. Staff of freight forwarders involved in processing dangerous goods
4. Staff of freight forwarders involved in processing cargo or mail (other than dangerous goods)
5. Staff of freight forwarders involved in the handling, storage and loading of cargo or mail
6. Operator's and ground handling agent's staff accepting dangerous goods
7. Operator's and ground handling agent's staff accepting cargo or mail (other than dangerous goods)
8. Operator's and ground handling agent's staff involved in the handling, storage and loading of cargo or mail and baggage
9. Passenger handling staff

10. Flight crew members, loadmasters and load planners
11. Crew members (other than flight crew members)
12. Security staff who are involved with the screening of passengers and their baggage and cargo or mail, e.g. security screeners, their supervisors and staff involved in implementing security procedures

Table 2 - Content of Training Courses for Operators Not Carrying Dangerous Goods as Cargo or Mail

Contents	7	8	9	10	11
General philosophy	X	X	X	X	X
Limitations	X	X	X	X	X
Labelling and marking	X	X	X	X	X
Dangerous goods transport document and other relevant documentation	X				
Recognition of undeclared dangerous goods	X	X	X	X	X
Provisions for passengers and crew	X	X	X	X	X
Emergency procedures	X	X	X	X	X

KEY

7. Operator's and ground handling agent's staff accepting cargo or mail (other than dangerous goods)
8. Operator's and ground handling agent's staff involved in the handling, storage and loading of cargo or mail (other than dangerous goods) and baggage
9. Passenger handling staff
10. Flight crew members, loadmasters and load planners
11. Crew members (other than flight crew members).

Table 3 - Content of Training Courses for Staff of Designated Postal Operators

Aspects of transport of dangerous goods by air with which they should be familiar, as a minimum	Designated Postal Operators		
	A	B	C
General philosophy	X	X	X
Limitations	X	X	X
General requirements for shippers	X		
Classification	X		
List of dangerous goods	X		
Packing requirements	X		
Labelling and marking	X	X	X
Dangerous goods transport document and other relevant documentation	X	X	
Acceptance of the dangerous goods listed in Part 1;2.3.2 of the TI	X		
Recognition of undeclared dangerous goods	X	X	X
Storage and loading procedures			X
Provisions for passengers and crew	X	X	X
Emergency procedures	X	X	X

KEY

- A. Staff of designated postal operators involved in accepting mail containing dangerous goods
- B. Staff of designated postal operators involved in processing mail (other than dangerous goods)

- C. Staff of designated postal operators involved in the handling, storage and loading of mail

Article 26 Examination

26.1 The participant shall demonstrate his/her level of competence by successfully passing the examination at the end of training programme. The test shall confirm the participants understanding and ability to apply the necessary information from the Technical Instructions.

26.2 The examination shall be such that it will determine participant's ability to perform his/her specific duty responsibilities in accordance with the applicable Regulations.

26.3 The duration of the exam shall provide sufficient time to the participant allowing him/her to complete the exam, based on the level of experience and the scope of training.

26.4 The test material shall contain an introductory explanation for the participants stating that the passing mark shall be at least 80% of correct answers.

Article 27 Training records

27.1 The training provider shall keep the records, containing the:

- a) name and surname of the participant;
- b) month of the completion of the last training held;
- c) description and copies of teaching materials or references to the documents used in training, complying with the training requirements;
- d) name and address of the training provider;
- e) evidence showing that the test has been successfully passed.

27.2 Training records shall be kept for at least 36 months after the end of the last training held.

27.3 Training records shall be available to CAAK upon request.

Article 28 Examination Certificates

28.1 Training providers shall issue examination certificates.

28.2 The certificate shall contain the following information, in official languages of the Republic of Kosovo including the English language in addition:

- a) *Name of training provider;*
- b) *Registration number of participant;*
- c) *Type of training;*
- d) *Category of personnel;*
- e) *Provision of applicable Regulation;*
- f) *Participants name and surname, followed by the statement*
- g) *“has passed the course”;*
- h) *Place and date of issuance;*
- i) *Expiry date;*
- j) *Name and surname of instructor;*
- k) *Signature of the instructor;*
- l) *Name and surname of Head of the training provider;*
- m) *Signature of Head of Training Provider and official seal;*

28.3 Copies of certificates issued by the training provider shall be kept along with the training records.

28.4 Operators and ground handling service providers performing on behalf of the operator, acceptance, handling, loading, unloading, transferring or other processing of cargo or mail, shall submit to CAAK, copies of the valid certificates for their personnel that have attended and successfully passed the exam for Category 6 training course.

28.5 Shippers, freight forwarders undertaking the responsibilities of shippers, packers and operators acting as shippers, shall submit to CAAK, copies of the valid certificates for their personnel that have attended and successfully passed the exam for Categories 1, 2 and 3 training course.

28.6 CAAK shall keep the records of packers, shippers, freight forwarders undertaking the responsibilities of shippers, operators and ground handling service provider personnel, as referred to in paragraphs 4 and 5 of this Article.

Article 29 Registration Numbers of Participants

29.1 Certificates issued to successful participants shall hold the registration numbers of participants. The number shall be unique for each certificate.

29.2 Training Provider shall apply to CAAK using the application form for the allocation of registration numbers of participants which is available on the CAAK website.

29.3 CAAK shall keep the records of the registration numbers of participants, stating the numbers and names, allocated to the training providers.

Article 30 Instructor Qualifications

30.1 Instructors conducting initial and recurrent dangerous goods training programmes shall as a minimum, meet the following requirements:

- a) actual knowledge of the Technical Instructions (or IATA's Dangerous Goods Regulations). Instructors shall have successfully completed Category 6 dangerous goods training programme,
- b) actual knowledge of national regulations on the transport of dangerous goods by air,
- c) the ability of preparing lecture plans, hand-outs, exercises and tests. Instructors shall successfully complete a course on teaching techniques,
- d) a minimum of five (5) years working experience in dangerous goods and safety operations and/or experience in cargo operations, including dangerous goods acceptance and handling.

30.2 Instructors delivering initial and recurrent dangerous goods training programmes shall at least every 24 months deliver such courses, or in the absence of this attend recurrent training.

30.3 Instructors shall receive and understand the latest information on dangerous goods and be well aware of these changes through training or other means, on an annual basis, or when applicable regulations change.

30.4 Instructors shall inform CAAK about the training courses that were conducted. The report is to be submitted at the beginning of the calendar year for the preceding year and shall contain the following information:

- a) Name and surname of instructor;
- b) Name of training provider;
- c) Type of training;
- d) Category of Personnel;
- e) Number of participants, and
- f) Date(s) and venue of the training.

30.5 CAAK shall keep the records of instructors who are accepted and who continue to meet the requirements to conduct dangerous goods training. Application form for acceptance of dangerous goods instructor is available on the CAAK website.

Article 31 **Computer Based Training (CBT) / and E-learning**

31.1 The training provider shall never completely exclude the instructors when conducting dangerous goods training. Use of mixed method of training is the most appropriate method in meeting the regulatory requirements.

31.2 To be able to conduct training using CBT and/or E-learning, the training providers shall:

- a) indicate the benefits of providing training using CBT and/or E-learning;
- b) ensure compliance with regards to the training requirements specified in the Technical Instructions and that no topics are less represented and/or omitted;
- c) ensure the availability of the manual containing Dangerous Goods Regulations and the updated references;
- d) take appropriate measures that participants with low motivation for learning do not remain behind in learning process;

- e) supervise the training ensuring that participants are not confused about the ongoing activities and time limits;
- f) ensure that qualified instructors for initial and recurrent training, accepted by CAAK, help the participants who are confused or who may need help;
- g) provide high-speed internet connection for accessing learning material for the participants;
- h) ensure that CBT files and E-learning programmes are not complex for participants with basic computer skills;
- i) ensure that topics which are difficult to simulate in a classroom, are managed under the guidance and clarification of instructors;
- j) inspect:
 - computers connected to the network,
 - laptops,
 - personal computers,
 - other digital devices (ex. PDAs and smartphones),
 - hand-outs and reference materials;
- k) ensure that all records confirming completion of training can be presented upon request and available in printed form; and
- l) obtain prior CAAK approval for the CBT and/or E-learning based training.

Article 32

Retention of documents and records

32.1 The aircraft operator shall ensure that at least one copy of the document of a consignment of dangerous goods appropriate to the transport by air is retained for a minimum period of three months, after the flight on which the dangerous goods were transported.

32.2 As a minimum, the documents which must be retained are:

- a) the dangerous goods transport documents;
- b) the acceptance checklist (when this is in a form which requires physical completion);

c) the written information to the pilot-in-command.

32.3 For each packaging and/or overpack and/or cargo container and/or unit load device and/or pallet, containing dangerous goods, which is not accepted for carriage by air, because of an error or failure of the shipper regarding the packaging, marking, labelling and inaccurate or incomplete documentation, a copy of the transport document and checklists should be retained for a minimum period of three months after the completion of the acceptance checklist.

32.4 The shipper shall keep documents on the transport of dangerous goods by air for at least three months after the flight.

Article 33

Submission of documents, records and monthly reports

33.1 The aircraft operator in which dangerous goods will be transported or were transported shall, within a reasonable time after being requested to do so by the Inspector, present the following documents:

- a) written approval for the transport of dangerous goods by air;
- b) dangerous goods transport document;
- c) appropriately filled acceptance checklist for dangerous goods, and
- d) copy of the written information submitted to the pilot-in-command.

33.2 Where a reasonable suspicion exists that the dangerous goods was not handled in accordance with the provisions of this Regulation and the Technical Instructions, the operator, shipper, freight forwarder or the ground handling services provider shall, within a reasonable time, after being requested to do so by the Inspector, present the document to him.

33.3 Operators and ground handling service providers shall submit to CAAK a monthly written report. Transport of dangerous goods by air reporting form is available on the CAAK website.

Article 34

Compliance and Enforcement Mechanism

34.1 Pursuant to the responsibilities laid down in the Law on Civil Aviation (Law No 03/L-051) and the Regulation on Inspectors Authorisations and Credentials (Regulation No 08/2011), the Inspectors are responsible to carry out oversight functions of all

entities and individuals who are in any way involved in the transport of dangerous goods by air regarding compliance with the provisions of this Regulation, the Technical Instructions and any other Regulations containing provisions relating to the carriage of dangerous goods by air.

34.2 An Inspector can request and be permitted an unhindered access to any aircraft, aerodrome, facility, its structures, equipment and tools, and to the documents including, certificates, manuals, records and data of any inspected or audited entity listed in Article 1.2 of the present Regulation, take samples and confiscate dangerous goods for which reasonable suspicion exists of not being handled in accordance with the provisions of this Regulation, the Technical Instructions and any other Regulations containing provisions relating to the carriage of dangerous goods by air.

34.3 An Inspector may open or require opening any luggage or packing for which reasonable suspicion exists that they might contain dangerous goods which are not handled in accordance with the provisions of this Regulation, the Technical Instructions and any other Regulation containing provisions relating to the carriage of dangerous goods by air.

34.4 An Inspector can:

- a) review the documents, data, procedures and any other materials associated within the scope of certification and/or oversight functions;
- b) copy files or parts of files, data, procedures and other material;
- c) ask for verbal explanations on the spot;
- d) conduct audits, investigations, evaluations, inspections, including ramp inspections and unannounced inspections, and
- e) take enforcement measures to ensure compliance with the requirements.

34.5 An Inspector can ask for assistance of other public officials/authorities and police structures, if encountering an assault or refusal to submit or if such encountering is to be reasonably expected from any person while in pursuance of authorisations provided for under paragraphs 2, 3 and 4 of this Article.

34.6 Violation of the provisions of this Regulation, the Technical Instructions and any other Regulation containing provisions relating to the carriage of dangerous goods by air, is subject to the punitive provisions pursuant to the Law on Civil Aviation.

34.7 Notwithstanding paragraph 6 of this Article, violation of the provisions of the present Regulation may amount to criminal liability pursuant to the respective provisions of the Law on Civil Aviation and Criminal Code of the Republic of Kosovo.

Article 35

Reporting of Dangerous Goods Occurrences

35.1 The shipper, freight forwarder, customs, designated postal operator, ground handling service provider, cargo handling agent, the operator and all other entities whose principal place of business is located in the Republic of Kosovo, where dangerous goods is present at the time of occurrence, regardless whether the dangerous goods is located in cargo, mail or baggage shall comply with the reporting requirements laid down in this Regulation and inform CAAK.

35.2 The operator shall notify the Competent Authority in which the aircraft is registered and the State of Origin any occurrence when:

- a) it is found that dangerous goods are not loaded, stowed, separated, and secured in accordance with the provisions of the Technical Instructions.
- b) it is discovered that the dangerous goods are being transported and the pilot-in-command has not received written information in accordance with the provisions of this Regulation and Technical Instructions.

35.3 The initial report shall be submitted within 72 hours of the occurrence, unless exceptional circumstances prevent this. The report must be sent using e-mail or phone or fax. The report shall contain the information as referred to in paragraph 4 of this Article, even if all the information is not available. When necessary, and as soon as possible, supplemental report shall be sent, with additional information that was not known at the time when the initial report was submitted. If the report is transmitted verbally, the written confirmation shall be submitted as soon as possible.

35.4 The initial and each subsequent report shall contain as much details as possible and include the following information:

- a) date and time of occurrence;
- b) location of occurrence, flight date and flight number;
- c) description of the occurrence
- d) reference number of the Air Waybill or courier pouch or baggage tag or passenger ticket;
- e) proper shipping name (including the technical name) and UN/ID number (when known);
- f) class/division and subsidiary risk;

- g) type of packaging and packaging specification marking;
- h) quantity;
- i) name and address of the shipper, agent, passenger, etc.;
- j) other relevant information;
- k) suspected cause and the action taken;
- l) any other previous reporting (if done); and
- m) name, title, address and telephone number of the person who submitted the report.

35.5 Copies of all relevant documents and any photographs should be attached to the report.

35.6 Dangerous goods occurrence reporting form is available on the CAAK website.

Article 36

Dangerous Goods Security Provisions

The Ministry of Internal Affairs, in its capacity as the appropriate authority responsible for the development, implementation and maintenance of the national civil aviation security programme in the Republic of Kosovo has established dangerous goods security measures, applicable to shippers, freight forwarders, ground handling service providers, cargo handling agents, designated postal operators, operators and other individuals engaged in the transport of dangerous goods by air, in order to minimize theft or misuse of dangerous goods that may endanger persons, property or the environment. These measures commensurate with security provisions specified in other ICAO Annexes and the Technical Instructions.

Article 37

Transitional provisions

37.1 Shippers, freight forwarders, ground handling services providers, cargo handling agents and operators not having their Air Operator Certificate (AOC) issued and not operating in accordance with the requirements of Annex III of the Regulation (EEC) 3922/91 (EU-OPS), shall fully comply with the provisions of this Regulation, and in order to continue carrying out activities related to the transport of dangerous goods by

air, shall possess a dangerous goods certificate issued by CAAK, in accordance with this Regulation no later than 31 March 2015.

37.2 Operators whose principal place of business is in the Republic of Kosovo and having their Air Operator Certificate (AOC) issued by CAAK, shall comply with the provisions of Article 22.2 of the present Regulation, as of 1 January 2015.

37.3 The designated postal operator shall fully comply with the provisions of Articles 20.5, 25.6 and 25.11 of the present Regulation, as of 31 March 2015.

37.4 The training providers shall fully comply with the provisions of this Regulation, in order to continue carrying out activities related to the dangerous goods training shall possess a training service provider certificate issued in accordance with this Regulation no later than the 31 March 2015.

Article 38 Final Provisions

The Regulation No. 6/2011, dated 25 June 2011, on Transport of Dangerous Goods by Air is hereby repealed.

Article 39 Entry into force

The present Regulation shall enter into force on 25 October 2014.

Prishtina, 10 October 2014.

Dritan Gjonbalaj
Director General