

Extract from Civil Aviation Safety Regulations 1998

[Civil Aviation Safety Regulations 1998 \(legislation.gov.au\)](http://legislation.gov.au)

Vol.2 Part92 .070

92.070 Dangerous goods statement (Act s 23A)

- (1) A person who, in the circumstances specified in subregulation (3), consigns cargo for carriage on board an aircraft (including a freight forwarder that does so in the course of business as a freight forwarder) must make and sign a written statement that:
 - (a) is to the effect that the cargo does not contain dangerous goods; or
 - (b) describes the contents of the cargo.

Note: Consigning cargo without making the required statement is an offence—see the Act, subsection 23A(2). Knowingly making a false or misleading statement is also an offence—see the *Criminal Code*, section 137.1.

- (2) The reference in subregulation (1) to consigning cargo for carriage on board an aircraft includes consigning cargo in circumstances such that there is a possibility that the cargo may, during its journey, be carried on an aircraft.
 - (3) For subsection 23A(1) of the Act and subregulation (1), all circumstances other than those mentioned in subregulation (4) are specified.
 - (4) The circumstances in which subregulation (1) does not apply are the following:
 - (a) the cargo was consigned from a place outside Australia;
 - (b) the cargo is checked baggage that is to be carried on the same aircraft as the person who checked the baggage;
 - (c) the cargo is:
 - (i) a postal article (within the meaning of the *Australian Postal Corporation Act 1989*) that is in the course of carriage by air; or
 - (ii) a document being sent between service centres of a document exchange service (within the meaning given by that Act);and:
 - (iii) weighs no more than 500 grams; and
 - (iv) is no more than 20 millimetres thick; and
 - (v) is no longer than 360 millimetres; and
 - (vi) is no wider than 260 millimetres;
 - (d) the cargo is dangerous goods that have been marked and documented in accordance with this Part.
- (5) Subregulation (6) sets out, for the purposes of subsections 23(1), (2) and (2A) of the Act, a condition of the carriage of dangerous goods on an aircraft.

Note: Under subsections 23(1), (2) and (2A) of the Act, an aircraft must not carry dangerous goods except in accordance with these Regulations.

- (6) Except in the circumstances mentioned in subregulation (4), the operator of an aircraft must not allow an item of cargo to be placed on board the aircraft unless the operator has been given a statement about the item in accordance with subregulation (1).

92.075 Dangerous goods statement in reliance on statement already made

- (1) If, in the course of cargo being consigned for carriage on an aircraft, a person delivers the cargo to the Australian Postal Corporation or a freight forwarder and gives to the Corporation or the forwarder a signed written statement that acknowledges that the cargo will or may be carried by air, and:
 - (a) is to the effect that the cargo does not contain dangerous goods; or
 - (b) describes the contents of the cargo;the Corporation or the forwarder may, in making a statement to the operator of the kind required by regulation 92.070, rely on the person's statement.
- (2) If an aircraft operator hands cargo to another operator for carriage on an aircraft operated by the second operator, and a statement of the kind required by regulation 92.070 was given to the first operator, the first operator may, in making a statement to the second operator of the kind required by that regulation, rely on the statement given to the first operator.