

বাংলাদেশ



গেজেট

অতিরিক্ত সংখ্যা

কর্তৃপক্ষ কর্তৃক প্রকাশিত

সোমবার, ডিসেম্বর ১৭, ১৯৯০

গণপ্রজাতন্ত্রী বাংলাদেশ সরকার

বেসামরিক বিমান পরিবহন ও পর্যটন মন্ত্রণালয়

দিএ-২ শাখা

প্রজ্ঞাপন

ঢাকা, ২৮শে অগ্রহায়ণ ১৩৯৭/১৩ই ডিসেম্বর ১৯৯০

এস. আর. ও নং ৪২৭-আইন/৯০—Civil Aviation Ordinance, 1960 (XXXII of 1960) এর Section 5-এ প্রস্তুত ক্ষমতাবলে সরকার Civil Aviation Rules, 1984-এর কতিপয় অধিকতর সংশোধনী আনয়নের প্রস্তাব করিতেছে। প্রস্তাবিত সংশোধনীর ফলে প্রভাবিত বা ক্ষতিগ্রস্ত হইতে পারেন এমন সব ব্যক্তিদের অবগতির জন্য উক্ত Ordinance-এর Section 15(2) এর প্রয়োজন মোতাবেক প্রস্তাবিত সংশোধনীর খণ্ডা নিম্নে প্রকাশ করিয়া এই নর্নে জানান যাইতেছে যে, খণ্ডািতে অন্তর্ভুক্ত সংশোধনীর উপর উক্ত-রূপ ব্যক্তিদের কোন আপত্তি বা পরামর্শ যদি থাকে, উহা এই প্রজ্ঞাপন সরকারী গেজেটে জারীর তারিখ হইতে তিন সপ্তাহ অতিবাহিত হইবার পূর্বে নিম্নস্বাক্ষরকারীর নিকট পাঠাইলে বিবেচনা করা হইবে।

উপরি-উক্ত Rules-এর—

(১) rule 121 বিলুপ্ত হইবে।

(২) rule 124 এর sub-rule (2) এর (ক) clause (1) এ “and” শব্দটি বিলুপ্ত হইবে এবং (খ) clause (m)-এর পরিবর্তে নিম্নরূপ প্রতিস্থাপিত হইবে, যথা—

“(m) the labelling and marking of dangerous goods, the manner in which they must be loaded on an aircraft and the responsibilities of members of the flight crew in respect of the carriage of dangerous good; and

(৯০২৯)

স্বাক্ষর: ৬০ পরমা

- (n) such other information or instructions as may be required by the Chairman.”
- (৩) Part VI-এর পর নিম্নরূপ নতুন part সন্নিবেশিত হইবে, যথা—

“PART VI-A

DANGEROUS GOODS

170A. Definitions—In this part, unless there is anything repugnant in the subject or context,—

“Consignment” means one or more packages of dangerous goods accepted by an operator from one shipper at one time and at one address, received for in one lot and moving on one air way bill to one consignee at one destination address; “Dangerous Goods” means any article or substance which is capable of posing significant risk to health, safety or property and which is classified as dangerous goods in the Technical instructions;

“Dangerous Goods Transport Document” means a document, not being an air way bill, which is required by rule 170C to accompany a consignment of dangerous goods;

“Package” means the packaging and the articles and substances contained therein including one or more packages which have been consolidated by one shipper into one container or enclosure for convenience in handling; “Packing” means the art and operation whereby articles and substances are wrapped up, enclosed in containers or otherwise secured;

“Technical Instructions” means the Technical Instructions for the Safe Transport of Dangerous Goods by air, approved and published from time to time by the International Civil Aviation Organisation;

“Unit Load Device” means any type of freight container including any other container designed for loading on an aircraft.

170B. Carriage of dangerous goods—

- (1) The operator of any aircraft may not carry in, or have loaded on, the aircraft any dangerous goods unless such goods are carried or loaded—
- (a) with the written permission of the Chairman and in accordance with any conditions to which such permission may be subjected; and
- (b) in accordance with the Technical Instructions and any conditions specified therein.

- (2) A person shall not take or cause to be taken on board, or deliver or cause to be delivered for loading on an aircraft, any goods which he knows or ought to know or suspect to be dangerous goods unless the provisions of this part are complied with.
- (3) The provisions of this part shall not apply to dangerous goods which are carried or loaded—
- for the purpose of ensuring the proper navigation or safety of the aircraft; or
 - solely for the personal use or for sale to the passengers or crew of the aircraft and which are specified as such in the Technical Instructions, provided that the provisions of the Technical Instructions relating to the aforesaid dangerous goods are complied with.
- (4) When under the Technical Instructions a dangerous goods in an accepted quantity is partially exempted from the provisions of the Technical Instructions, save for clause (a) of sub-rule (1) of this rule and rule 170F it shall also be exempted from the provisions of this part provided that :
- the dangerous goods does not exceed the appropriate quantity limitations specified therein; and
 - such other conditions as are specified therein are complied with.

170C. Documentation—

- An aircraft shall not carry dangerous goods as cargo unless the shipper of the goods has furnished the operator of the aircraft with a dangerous goods transport document except that such document may not be required when the Technical Instructions so specify.
- The dangerous goods transport document may be completed in duplicate by the shipper and shall—
 - describe the dangerous goods in accordance with, and contain such information as is required by, the Technical Instructions;
 - contain a signed declaration that the Technical instructions have been complied with in that the dangerous goods
 - are fully and accurately described, and
 - are correctly classified, packed, marked and labelled, and
 - are in a proper condition for carriage by air.

- (3) The operator of an aircraft shall preserve for not less than six months any dangerous goods transport document which has been furnished to him in accordance with this rule.

170D. Shipper's Responsibilities—Before consigning any package containing dangerous goods for carriage by air the shipper shall ensure that—

- (a) the goods are not of a category whose carriage by air is prohibited by the provisions of the Technical Instructions
- (b) the goods are classified and packed, and the packagings used are, in accordance with the provisions of the Technical Instructions;
- (c) the package is marked and labelled in accordance with the provisions of the Technical Instructions;
- (d) the package is in a fit condition for carriage by air;
- (e) the dangerous goods transport document required by rule 170C has been completed and the declaration therein has been signed by him.

170E. Operator's Responsibilities—

- (1) The operator of an aircraft in which any package or unit load device containing dangerous goods is to be carried shall satisfy himself by making an inspection—
 - (a) that the package is marked and labelled in accordance with the provisions of this part and the provisions of the Technical Instructions before accepting the package; and
 - (b) before accepting the package that it is not leaking or damaged so that the contents may escape before loading or causing the package to be loaded on board the aircraft;
 - (c) that upon unloading the package from the aircraft, the unit load device is free from any evidence of leakage or damage to any dangerous goods therein.
- (2) (a) For the purposes of each of the inspections required by clauses (a) and (b) of sub-rule (1) the operator of an aircraft shall use check list and shall record thereon and in accordance with the form thereof the results of that inspection.
- (b) The operator of an aircraft shall preserve for not less than six months any acceptance check list used by him in accordance with this rule.

- (3) The operator may not load or cause to be loaded on an aircraft any package or unit load device containing dangerous goods which on inspection is found to be leaking or damaged.
- (4) The operator shall unload or cause to be unloaded any package containing dangerous goods which appears to be leaking or damaged on board an aircraft and shall ensure that other cargo or baggage loaded on that aircraft if in a fit state for carriage by air and has not been contaminated.
- (5) The operator shall after unloading, inspect, for signs of damage or contamination, any part of the aircraft in which a unit load device containing dangerous goods was stowed or any damage or leaking package containing dangerous goods was loaded and the operator may remove or repair any contamination or damage.
- (6) The operator of an aircraft shall not permit it to fly for the purposes of carrying passengers or cargo if he knows or suspects radio active materials have leaked in or contaminated the aircraft unless the radiation level resulting from the fixed contamination at any accessible surface and the non-fixed contamination are less than the values specified in the Technical Instructions.

170F. Method of Loading by Operator—

- (1) The operator shall ensure that any package containing dangerous goods is loaded on, stowed in and unloaded from an aircraft in accordance with the provisions of the Technical Instructions which apply to that category of dangerous goods.
- (2) An aircraft shall not carry any dangerous goods either in any compartment occupied by passengers or in the flight crew compartment except in circumstances permitted by the provisions of the Technical Instructions.

170G. Provision of Information and Training Programmes by Operators and Shippers—

- (1) The operator of an aircraft in which dangerous goods are to be carried shall, before the flight begins, provide the pilot-in-command with such written information about the dangerous goods as the provisions of the Technical Instructions require and shall preserve a copy thereof for not less than six months.
- (2) The operator of an aircraft in which passengers are to be carried or his agent shall notify the passengers of the categories of dangerous goods which may not be taken on board an aircraft either as checked baggage or accompanying a passenger by displaying notices at places at an airport where the operator or his agent issues tickets, checks in baggage or maintains areas to assemble passengers to board an aircraft.

- (3) The operator of an aircraft and a shipper of dangerous goods by air or, in each case, the agent thereof shall inform, the employees whose duties include a function connected with the carriage of passengers or cargo by air, of the provisions of the Technical Instructions and for this purpose shall establish and undertake training programmes, as required by the Technical Instructions with the approval of the Chairman.

170H. Production of Documents and Records—The operator of an aircraft shall, within a reasonable time after being requested so to do by an authorised person, cause to be produced to that person such of the following documents as may be requested by that person—

- (a) the written permission referred to in sub-rule (1) of rule 170B;
- (b) the dangerous goods transport document in respect of any dangerous goods, referred to in rule 170C;
- (c) the acceptance check list in respect of any dangerous goods referred to in sub-rule (2) of rule 170E;
- (d) a copy of the written information provided to the pilot-in-command of the aircraft in respect of any dangerous goods referred to in sub-rule (1) of rule 170G.

170I. Provisions of Inspection and Surveillance—The Chairman shall, by order, establish inspection, surveillance and enforcement procedures with a view to achieving compliance with the rules of this part.

170J. Agricultural Operations (Save and Except) the provisions of clause (a) of sub-rule (1) of rule 170B, nothing in this part shall apply to any aircraft being used in agricultural operations.

170K. Savings.—The provisions of this part shall be additional to and not in derogation of rule 8 of rule 224 of these rules."

(৪) rule 305-এর পর নিম্নরূপ নতুন rule যুক্তকৃত হইবে:—

"305A. Flights over any foreign country.—

(1) The operator or the pilot-in-command of a Bangladesh aircraft which is being flown over any foreign country shall not allow that aircraft to be used for a purpose which is prejudicial to the security, public order or public health of, or to the safety of air navigation in, that country.

(2) The operator or pilot-in-command of a Bangladesh aircraft which is being flown over any foreign country shall comply with any directions given by an appropriate aeronautical authority of that country.

(3) In this rule—

- (a) 'appropriate aeronautical authority' includes any person, where a member of a country's Military or Civil authorities, authorised under the law of the foreign country to issue directions to aircraft flying over that country; and

- (b) 'Bangladesh aircraft' includes an aircraft registered in a country other than Bangladesh the operator of which is a person, or a group of person or a company who has his principal place of business or permanent residence in Bangladesh."

305B. Requirements as to Interception of Civil Aircraft.—

- (1) The Chairman may publish in Air Navigation Orders the requirements for the purpose of avoiding interception of civil aircraft and for purpose of specifying the procedures to be complied with in case of interception of such aircraft while flown over the territory of Bangladesh.
- (2) While making orders for such requirements the Chairman,—
- (a) shall have regard to the Standards and Recommended Practices relating to interception of civil aircraft prescribed under the Convention; and
- (b) shall consult the appropriate authority of the Government."

রাষ্ট্রপতির আদেশক্রমে
দাউদ-উজ্-জামান চৌধুরী
উপ-সচিব।