



香港特別行政區政府
民航處
Civil Aviation Department
The Government of the Hong Kong Special Administrative Region

危險品通告第 1/2019 號

空運危險品許可證和空運軍火許可證

最近，民航處注意到有航空器經營人在未有取得由民航處處長簽發的空運危險品許可證的情況下，從香港空運包裝說明967 / 970第II節的鋰電池貨物。根據國際民航組織的《危險品安全空運技術指令》，包裝說明965至970第II節的鋰電池貨物均分類為危險品，航空器經營人必須根據《1995年飛航（香港）令》附表16第3(1)條[香港法例第448C章]，取得由民航處處長簽發的有效許可證以空運上述的鋰電池貨物。本處現正就該事故進行調查。

2. 此外，根據《1995年飛航（香港）令》第43條，飛機不得運載任何軍火，除非已獲得民航處處長的書面許可，並根據其相關條件運載。

額外警惕並確保符合規格

3. 本處正嚴肅跟進上述事故，現謹提醒航空器經營人及其地勤服務公司時刻保持警惕，在接受任何危險品貨物或軍火以作空運往返香港前，必先確保航空器經營人具備所需的許可證。《1995年飛航（香港）令》的相關條文已節錄於本通告的附錄一以供參考。該法例的完整版可從「電子版香港法例」網站<https://www.elegislation.gov.hk> 下載。

4. 違反《1995年飛航（香港）令》可被檢控。

申請程序和獲發許可證的航空器經營人名單

5. 有關申請空運危險品及空運軍火許可證的程序，請參閱在本處網站 <https://www.ais.gov.hk/#AIC1> 發布的相關航空資料通告（“AIC”）。

6. 獲發空運危險品許可證的航空器經營人名單載於以下網址
<https://www.cad.gov.hk/english/pdf/dgpermissionlist.pdf>。
7. 獲發空運軍火許可證的航空器經營人名單載於以下網址
<https://www.cad.gov.hk/english/pdf/MUW%20Permission%20List.pdf>。
8. 如對本通告有任何查詢，請致電 2910 6856 或 2910 6857 與危險品事務組聯絡。

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<http://www.cad.gov.hk/chinese/DGAC.html>

AIR NAVIGATION (HONG KONG) ORDER 1995

Section 3

S16-6
Cap. 448C

defined, shall for the purpose of these Regulations be interpreted as applying also to the carriage of such goods beneath passenger or cargo aircraft respectively.

3. Carriage of dangerous goods

- (1) An aircraft shall not carry or have loaded therein or suspended thereunder any dangerous goods, unless such goods are carried, loaded or suspended— (*L.N. 193 of 2009*)
 - (a) with the written permission of the Chief Executive and in accordance with any conditions to which such permission may be subject; and (*36 of 1999 s. 3*)
 - (b) in accordance with the Technical Instructions and any conditions specified therein.
- (2) A person shall not—
 - (a) take or cause to be taken on board,
 - (b) suspend or cause to be suspended beneath, or
 - (c) deliver or cause to be delivered for loading on or suspension beneath, (*L.N. 179 of 1999; L.N. 140 of 2011*)

an aircraft any goods which he knows or ought to know or suspect to be dangerous goods, unless the provisions of these Regulations are complied with. (*L.N. 214 of 2003*)

- (3) Subject to Regulation 8A of these Regulations, these Regulations shall not apply to dangerous goods carried on an aircraft where the dangerous goods are— (*L.N. 193 of 2009*)
 - (a) articles and equipment which are—
 - (i) required to be carried on the aircraft by or under this Order; or

that that person is a fit person to hold the certificate and is competent, having regard in particular to his previous conduct and experience, his equipment, organisation, staffing and other arrangements, to secure the safe operation of the aircraft specified in the certificate on flights for the purposes specified in paragraph (1) of this Article. The certificate may be granted subject to such conditions as the Chief Executive thinks fit including, without prejudice to the generality of the foregoing, conditions for ensuring that the aircraft and any article dropped from it do not endanger persons or property in the aircraft or elsewhere, and shall, subject to the provisions of Article 62 of this Order, remain in force for the period specified in the certificate.

- (3) Every applicant for and the holder of an aerial application certificate shall make available to the Chief Executive upon application and to every member of his operating staff upon the certificate being granted an aerial application manual which shall contain all such information and instructions as may be necessary to enable the operating staff to perform their duties as such. The holder of a certificate shall make such amendments of or additions to the manual as the Chief Executive may require.
- (4) For the purposes of this Article “operating staff” has the meaning ascribed to it in Article 25(4) of this Order.

(36 of 1999 s. 3)

43. Carriage of weapons and of munitions of war

- (1) An aircraft shall not carry any munition of war unless:
 - (a) such munition of war is carried with the written permission of the Chief Executive and in accordance with any conditions relating thereto; and

- (b) the pilot in command of the aircraft is informed in writing by the operator before the flight commences of the type, weight or quantity and location of any such munition of war on board or suspended beneath the aircraft and any conditions of the permission of the Chief Executive. *(36 of 1999 s. 3; L.N. 77 of 2008)*
- (2) Notwithstanding paragraph (1) of this Article it shall be unlawful for an aircraft to carry any weapon or munition of war in any compartment or apparatus to which passengers have access.
- (3) It shall be unlawful for a person to carry or have in his possession or take or cause to be taken on board an aircraft, to suspend or cause to be suspended beneath an aircraft or to deliver or cause to be delivered for carriage thereon any weapon or munition of war unless—
- (a) the weapon or munition of war:
- (i) is either part of the baggage of a passenger on the aircraft or consigned as cargo to be carried thereby;
 - (ii) is carried in a part of the aircraft, or in any apparatus attached to the aircraft inaccessible to passengers; and
 - (iii) in case of a firearm, is unloaded;
- (b) particulars of the weapon or munition of war have been furnished by that passenger or by the consignor to the operator before the flight commences; and
- (c) without prejudice to paragraph (1) of this Article the operator consents to the carriage of such weapon or munition of war by the aircraft.
- (4) Nothing in this Article shall apply to any weapon or munition of war taken or carried on board an aircraft registered outside Hong Kong, if the weapon or munition of war, as the case

may be, may under the law of the country in which the aircraft is registered be lawfully taken or carried on board for the purpose of ensuring the safety of the aircraft or of persons on board. (*L.N. 77 of 2008*)

- (5) For the purposes of this Article a “munition of war” means any weapon, ammunition or article containing an explosive or any noxious liquid, gas or other thing which is designed or made for use in warfare or against persons, including parts, whether components or accessories, for such weapon, ammunition or article.

44. Carriage of dangerous goods

(Adaptation amendments retroactively made - see 36 of 1999 s. 3)

- (1) It shall be an offence to contravene or permit the contravention of or fail to comply with any of the regulations set out in Schedule 16 to this Order:

Provided that the Chief Executive may make regulations which supplement, amend or replace the regulations set out in the said Schedule 16, and which prescribe— (*36 of 1999 s. 3*)

- (a) the classification of certain articles and substances as dangerous goods;
- (b) the categories of dangerous goods which an aircraft may not carry;
- (c) the conditions which apply to the loading on, suspension beneath and carriage by an aircraft of dangerous goods;
- (d) the manner in which dangerous goods must be packed, marked, labelled and consigned before being loaded on, suspended beneath or carried by an aircraft;
- (e) any other provisions for securing the safety of aircraft and any apparatus attached thereto, and the safety of persons and property on the surface in relation to the