



**MEMORANDUM CIRCULAR NO.:** 22-15

**TO :** ALL CONCERNED  
**FROM :** THE DIRECTOR GENERAL  
**SUBJECT :** AMENDMENTS TO THE PHILIPPINE CIVIL AVIATION REGULATIONS (PCAR) PART 18

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**REFERENCES:**

1. Philippine Civil Aviation Regulations Part 18
2. ICAO Annex 18, Amendments 10 and 11
3. Regulations Amendment Procedures
4. Board Resolution No.: 2012-054 dated 28 September 2013

Pursuant to the powers vested in me under Republic Act 9497, otherwise known as the Civil Aviation Authority Act of 2008 and in accordance with the Regulations Amendment Procedures with Board Resolution No.: 2012-054 dated 28 September 2013, I hereby approve the incorporation of ICAO Annex 18, Amendments 10 and 11 to the Philippine Civil Aviation Regulations.

**AMENDED REGULATIONS:**

**PCAR PART 18**

**SUBPART A: GENERAL**

**18.001 APPLICABILITY**

- (a) This Part prescribes the requirements of the Republic of the Philippines that apply to the carriage of dangerous goods by air in international and domestic operations of aircraft as specified in—
- (b) This Part is applicable to all Dangerous Goods (DG) and No-DG carry operators of aircraft in—
  - (1) Aerial work;
  - (2) Commercial air transport; and
  - (3) General aviation.
- (c) This Part is also applicable to all organizations and individuals involved in the handling and shipping process of dangerous goods by air, which includes but is not limited to all airline operators, ground service providers, cargo shippers,

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maintenance organizations and aerodromes, who performs duties required by these regulations.

## 18.002 DANGEROUS GOODS TECHNICAL INSTRUCTIONS

- (a) The CAAP takes the necessary measures to achieve compliance with the detailed provisions contained in the Technical Instructions. CAAP also takes the necessary measures to achieve compliance with any amendment to the Technical Instructions which may be published during the specified period of applicability of an edition of the Technical Instructions.

## 18.005 DEFINITIONS

**Approval.** An authorization granted by an appropriate national authority for:

- (1) 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
- (2) other purposes as provided for in the Technical Instructions.

*Note: In the absence of a specific reference in the Technical Instructions allowing the granting of an approval, an exemption may be sought.*

**Dangerous goods accident.** An occurrence associated with and related to the transport of dangerous goods which results in fatal or serious injury to a person or major property or environmental damage.

**Dangerous goods incident.** 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 constitute a dangerous goods incident.

**Exemption.** An authorization, other than an approval, granted by an appropriate national authority providing relief from the provisions of the Technical Instructions.

**State of Destination.** The State in the territory of which the consignment is finally to be unloaded from an aircraft.

**State of Origin.** The State in the territory of which the consignment is first to be loaded on an aircraft.

**Technical Instructions.** The *Technical Instructions for the Safe Transport of Dangerous Goods by Air* (Doc 9284), approved and issued periodically in accordance with the procedure established by the ICAO Council.

**UN number.** The four-digit number assigned by the United Nations Committee of Experts on the Transport of Dangerous Goods and on the Globally Harmonized System of Classification and Labeling of Chemicals to identify an article or substance or a particular group of articles or substances.



## **SUBPART B: EXCEPTIONS**

### **18.045 DANGEROUS GOODS FORBIDDEN FOR TRANSPORT BY AIR UNLESS EXEMPTED**

- (a) No person may offer for transport on an aircraft or carry on an aircraft the dangerous goods unless—
  - (1) Exempted by CAAP under provisions similar to Section 18.050 of this Part, or
  - (2) The provisions of the *Technical Instructions* indicate they may be transported under an approval granted by the State of Origin:
    - (i) 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.
    - (ii) infected live animals on any aircraft.

### **18.046 DANGEROUS GOODS PERMITTED FOR TRANSPORT BY AIR**

- (a) The transport of dangerous goods by air shall be forbidden except as established in this Part and the detailed specifications and procedures provided in the *Technical Instructions*.

### **18.050 EXEMPTIONS**

- (a) Where specifically provided for in the *Technical Instructions*, the CAAP may grant an approval provided that in such instances an overall level of safety in transport which is equivalent to the level of safety provided for in the *Technical Instructions* is achieved.
  - (1) In instances:
    - (A) of 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, the CAAP may grant an exemptions from these provisions provided that in such instances every effort shall be made to achieve an overall level of safety in transport which is equivalent to the level of safety provided by the requirements of this Part and the *Technical Instructions*.
- (b) Where the Philippines is the State of Overflight, if none of the criteria for granting an exemption are relevant, an exemption with specific routing and other restrictions may be granted by the Authority based solely on whether it is believed that an equivalent level of safety in air transport has been achieved.

*Note: Guidance for the processing of exemptions, including examples of extreme urgency, may be found in the Supplement to the Technical Instructions (Part S-1, Chapter 1, paragraphs 1.2 and 1.3).*



**SUBPART H: COMPLIANCE**

**18.290 INSPECTION SYSTEMS**

- (a) CAAP shall establish inspection, surveillance and enforcement procedures for all entities performing any function prescribed in its regulations for air transport of dangerous goods with a view to achieving compliance with those regulations.

DELETED - SECTION 18.005 DEFINITION "Incompatible"

DELETED – SECTION 18.015 General Prohibitions paragraphs (a) and (b)

**EFFECTIVITY:**

Fifteen (15) days after compliance with the requisite publication in a single newspaper of general circulation and a copy filed with the U.P. Law Center – Office of the National Administrative Register, these amendments shall be incorporated to the Philippine CAR Part 18, series of 2015 and shall supersede any memoranda, regulations and directives in conflict herewith.

So Ordered. Signed this \_\_\_\_\_ day of \_\_\_\_\_ 2015, CAAP, Pasay City



**LT GEN WILLIAM K HOTCHKISS III AFP (RET)**  
Director General