Republic of Latvia

Cabinet

Regulation No. 295

Adopted 13 June 2023

**Procedures for the Carriage of Dangerous Articles and Dangerous Goods by Air**

*Issued pursuant to*

*Section 11, Paragraph five of the Law on the Movement of Dangerous Goods and Section 64, Paragraph four of the law On Aviation*

**I. General Provisions**

1. The Regulation prescribes the procedures by which:

1.1. dangerous articles and dangerous goods shall be prepared for carriage by aircraft and shall be carried by aircraft, including:

1.1.1. the obligations of participants in the movement of dangerous goods in the field of carriage by air and the procedures for supervising the performance of these obligations;

1.1.2. the procedures for the issuance, suspension, and cancellation of approvals for carriage of dangerous goods by air;

1.1.3. the procedures by which a certificate of training providers and instructors shall be issued in the field of carriage by air and also the procedures for the extension, suspension, cancellation, use, and recognition of certificates;

1.1.4. the procedures by which employees involved in the movement of dangerous goods in the field of carriage by air shall be trained;

1.1.5. the procedures by which passengers shall be informed of dangerous articles prohibited for carriage by air;

1.1.6. the procedures by which undeclared carriage of dangerous goods by aircraft shall be investigated;

1.2. occurrences in civil aviation involving the carriage of dangerous goods by air shall be reported.

2. The requirements of the Regulation shall be applicable to:

2.1. participants in the movement of dangerous goods who dispatch dangerous goods and postal items that contain dangerous articles and are permitted to be carried by aircraft;

2.2. participants in the movement of dangerous goods who offer and provide intermediary services, i.e. preparation of dangerous goods and postal items for carriage by aircraft;

2.3. aircraft operators registered in the Republic of Latvia, regardless of whether they carry dangerous goods by air within the Republic of Latvia or abroad;

2.4. aircraft operators registered abroad if they carry dangerous goods by air to and from the aerodromes of the Republic of Latvia or within the airspace of the Republic of Latvia;

2.5. civil aviation aerodrome operators (hereinafter – the aerodrome operators), except for the aerodrome operators at general aviation aerodromes;

2.6. legal persons who have the right to train employees and instructors involved in the preparation of dangerous goods for carriage by aircraft and in the carriage thereof by aircraft in accordance with a training programme approved by *valsts aģentūra “Civilās aviācijas aģentūra”* [State agency Civil Aviation Agency] (hereinafter – the Civil Aviation Agency) (hereinafter – the training provider);

2.7. natural persons who are certified to conduct training of the employees involved in the preparation of dangerous goods for carriage by aircraft and in the carriage thereof by aircraft (hereinafter – the instructor);

2.8. providers of ground handling services for aircraft.

3. The certificate of a training provider shall be issued for an indefinite period.

4. An instructor certificate shall be issued for five years.

**II. Obligations of the Consignor**

5. When preparing dangerous goods for carriage by aircraft, the consignor shall:

5.1. ascertain the hazard class and the degree of hazard of the dangerous articles contained in the dangerous goods;

5.2. ensure that the identification, packaging, labelling, and preparation of the accompanying documents of the dangerous articles are carried out by personnel trained in conformity with the requirements of the Technical Instructions for the Safe Transport of Dangerous Goods by Air (Doc 9284) of the International Civil Aviation Organisation (hereinafter – the technical instructions) and Chapter XI of this Regulation;

5.3. ensure that the dangerous articles are packaged by using only the packaging, tanks, or containers specified in the technical instructions that are intended for the storage and carriage of the respective dangerous article by aircraft.

6. If a participant in the movement of dangerous goods who prepares dangerous goods or postal items containing dangerous articles for carriage by aircraft or the aircraft operator establishes that the item does not conform to the requirements of the technical instructions and cannot be carried by aircraft, the consignor shall immediately take this item back and transport it to an appropriate place of storage.

7. If the consignor dispatches dangerous goods by aircraft for commercial purposes, it shall:

7.1. appoint an employee responsible for the preparation of dangerous goods for carriage by aircraft, ascertaining that the respective employee is trained and has passed a qualification examination in conformity with the requirements laid down in Chapter XI of this Regulation;

7.2. develop the procedures for the identification, packaging, labelling, and preparation of the accompanying documents of dangerous goods in conformity with the requirements of the technical instructions;

7.3. provide training for the employees involved in the preparation of dangerous goods for carriage by aircraft in conformity with the requirements laid down in Chapter XI of this Regulation;

7.4. ensure that the preparation of dangerous goods for carriage by aircraft conforms to the requirements laid down in the technical instructions and this Chapter.

8. The consignor may delegate the preparation of dangerous goods for carriage by aircraft to a specialised provider of services.

**III. Obligations of Participants in the Movement of Dangerous Goods Involved in the Preparation and Storage of Dangerous Goods and the Provision of Ground Handling Services**

9. Participants in the movement of dangerous goods providing intermediary services, i.e. the preparation of dangerous goods for carriage by aircraft (except for the carriage of postal items), shall take the following measures:

9.1. appoint an employee responsible for the preparation of dangerous goods for carriage by aircraft, ascertaining that the respective employee is trained and has passed a qualification examination in conformity with the requirements laid down in Chapter XI of this Regulation;

9.2. develop the procedures for the identification, packaging, labelling, and preparation of the accompanying documents of dangerous goods in conformity with the requirements of the technical instructions;

9.3. ensure that the identification, packaging, labelling, and preparation of the accompanying documents of dangerous articles are carried out by personnel trained in conformity with the requirements laid down in the technical instructions and Chapter XI of this Regulation;

9.4. prepare dangerous goods for carriage by aircraft in conformity with the requirements of the technical instructions:

9.4.1. identify dangerous articles and ascertain conditions for the carriage thereof by aircraft;

9.4.2. package dangerous articles and label dangerous goods;

9.5. carry out temporary storage of dangerous articles and dangerous goods in conformity with the requirements of the technical instructions.

10. Participants in the movement of dangerous goods providing intermediary services within the Republic of Latvia, i.e. the carriage of postal items by aircraft, (hereinafter – the providers of postal services), shall take the following measures:

10.1. appoint an employee responsible for the preparation of dangerous goods for carriage by aircraft, ascertaining that the respective employee is trained and has passed a qualification examination in conformity with the requirements laid down in Chapter XI of this Regulation;

10.2. ensure that the postal items containing dangerous articles are prepared by personnel trained in conformity with the requirements laid down in the technical instructions and Chapter XI of this Regulation;

10.3. identify dangerous articles received for conveyance and assess the compliance thereof for carriage by aircraft;

10.4. ascertain that the labelling of the postal item containing dangerous articles to be dispatched corresponds to the content thereof and the packaging conforms to the requirements of the technical instructions;

10.5. provide temporary storage of the postal items containing dangerous articles in conformity with the requirements of the technical instructions;

10.6. prepare the accompanying documents necessary for the carriage of postal items containing dangerous articles by aircraft;

10.7. inform the aircraft operator of the hazard class and the degree of hazard of the dangerous articles contained in postal items, as specified in the technical instructions.

11. A participant in the movement of dangerous goods who has been assigned the status of a regulated agent in accordance with point 6.3.1 of Annex to Commission Implementing Regulation (EU) 2015/1998 of 5 November 2015 laying down detailed measures for the implementation of the common basic standards on aviation security shall take the following measures when preparing dangerous goods for carriage by aircraft:

11.1. appoint an employee responsible for the preparation of dangerous goods for carriage by aircraft, ascertaining that the respective employee is trained and has passed a qualification examination in conformity with the requirements laid down in Chapter XI of this Regulation;

11.2. develop the procedures for the preparation of dangerous goods in conformity with the requirements of the technical instructions;

11.3. ensure that the dangerous goods are prepared by personnel trained in conformity with the requirements laid down in the technical instructions and Chapter XI of this Regulation;

11.4. ascertain that the external packaging and labelling of dangerous goods conform to the requirements of the technical instructions;

11.5. provide temporary storage of dangerous goods in conformity with the requirements of the technical instructions;

11.6. prepare the accompanying documents of dangerous goods, where necessary;

11.7. inform the aircraft operator of the hazard class and the degree of hazard of the dangerous articles contained in dangerous goods, as specified in the technical instructions.

12. A participant in the movement of dangerous goods who provides ground handling services for aircraft shall take the following measures:

12.1. ensure that the loading and unloading of dangerous goods from the aircraft and also the movement thereof within the aerodrome territory are carried out by personnel trained in conformity with the requirements laid down in the technical instructions and Chapter XI of this Regulation;

12.2. identify the dangerous goods according to the accompanying documents;

12.3. carry out the loading and unloading of dangerous goods from the aircraft according to the instructions of the consignor or aircraft operator in conformity with the requirements of the technical instructions;

12.4. if dangerous goods are loaded into the aircraft, inform the aircraft captain of the hazard class and the degree of hazard of the dangerous articles contained in the dangerous goods, as specified in the technical instructions.

**IV. Obligations of the Aerodrome Operator**

13. The aerodrome operator shall take the following measures:

13.1. appoint an employee responsible for the compliance with the procedures for dangerous goods, ascertaining that the respective employee is trained and has passed a qualification examination in conformity with the requirements laid down in Chapter XI of this Regulation;

13.2. ensure that the security screening of passengers, luggage, cargo, or postal items and the elimination of consequences of the discharge of dangerous goods or fire ignition at aerodromes and on aircraft are carried out by personnel trained in conformity with the requirements laid down in the technical instructions and Chapter XI of this Regulation;

13.3. develop the procedures for the elimination of consequences of occurrences involving dangerous goods;

13.4. provide the personnel involved in the elimination of consequences of occurrences involving dangerous goods with the necessary equipment;

13.5. at least once a year, conduct training for personnel to acquire practical skills for eliminating the consequences of occurrences involving dangerous goods;

13.6. develop escape routes for dangerous goods and determine places for temporary storage.

14. In the event of an emergency situation within the aerodrome territory which is related to the discharge, ignition, explosion of a dangerous substance, environmental contamination, or any other process that poses a threat to human life or material assets, the aerodrome operator shall perform rescue operations and works to eliminate the consequences of the occurrence. The airport operator may enter into a contract with a public institution or a legal person for the performance of rescue operations and works to eliminate the consequences of the occurrence.

**V. Obligations of the Aircraft Operator when Carrying Dangerous Goods and Postal Items Containing Dangerous Articles**

15. When preparing and carrying dangerous goods by aircraft, the aircraft operator shall conform to the requirements laid down in Part 7 of the technical instructions and SPA.DG.100, SPA.DG.105, and SPA.DG.110 of Annex V to 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 (hereinafter – Regulation No 965/2012).

16. In order to perform carriage of dangerous goods by air, an aircraft operator registered in the Republic of Latvia shall require an approval issued by the Civil Aviation Agency (hereinafter – the approval).

17. In order to obtain the approval, the aircraft operator shall conform to the requirements referred to in ORO.GEN.110(j), ORO.GEN.200, ORO.GEN.205(a)(1) of Annex III and SPA.DG.105 of Annex V to Regulation No 965/2012 and submit to the Civil Aviation Agency the submission for the receipt of the approval. The respective submission shall be accompanied by the following documents:

17.1. information on the employee appointed by the aircraft operator who is responsible for the carriage of dangerous goods by aircraft;

17.2. the manual of the aircraft operator which includes the following information:

17.2.1. the operating procedures on the ground and during flight for each type of aircraft for safe handling of dangerous articles and goods at all stages of carriage by air;

17.2.2. a description of the management system referred to in ORO.GEN.200 of Annex III to Regulation No 965/2012;

17.2.3. the procedures for the provision of the services referred to in ORO.GEN.205(a)(1) of Annex III to Regulation No 965/2012;

17.3. the training programmes for all categories of employees of the aircraft operator involved in the preparation of dangerous goods for carriage by aircraft and in the carriage thereof by aircraft, or the organisation or supervision of these procedures, as referred to in ORO.GEN.110(j) of Annex III and SPA.DG.105(a) of Annex V to Regulation No 965/2012;

17.4. the evidence that the preparation of dangerous goods for carriage by aircraft and carriage thereof by aircraft are carried out by personnel trained in conformity with the requirements laid down in the technical instructions and Chapter XI of this Regulation.

18. The aircraft operator shall inform the aircraft passengers of the restrictions applicable to the carriage of dangerous articles in hand luggage and checked luggage in accordance with the procedures laid down in Chapter XII of this Regulation.

19. If the aircraft operator establishes that the dangerous goods do not conform to the technical instructions, it shall not carry the dangerous goods and shall inform the consignor thereof.

**VI. Obligations of the Civil Aviation Agency**

20. The Civil Aviation Agency shall supervise the conformity of the carriage of dangerous goods by air with the requirements laid down in Annex 18 to the Convention on International Civil Aviation of 7 December 1944 (hereinafter – the Convention), the technical instructions, ORO.GEN.110(j), ORO.GEN.200, ORO.GEN.205(a)(1) of Annex III, and SPA.DG.100, SPA.DG.105, and SPA.DG.110 of Annex V to Regulation No 965/2012, the Law on the Movement of Dangerous Goods, and this Regulation, and shall take the following supervisory measures:

20.1. in respect of the consignors, the providers of services preparing dangerous goods for carriage by aircraft, and the providers of postal services:

20.1.1. verify whether the procedures for the identification and packaging of dangerous goods conform to the requirements of the technical instructions;

20.1.2. verify whether the information labels and warning signs, accompanying documents, and packaging intended for the carriage of dangerous goods by air which is used by the consignor, the provider of service preparing dangerous goods for carriage by aircraft, and the provider of postal services conform to the requirements of the technical instructions;

20.1.3. verify whether the training for the employees involved in the preparation of dangerous goods for carriage by aircraft conforms to the requirements laid down in the technical instructions and Chapter XI of this Regulation;

20.1.4. if the Civil Aviation Agency establishes that the consignor or the provider of services preparing dangerous goods for carriage by aircraft, or the provider of postal services has failed to conform to the requirements laid down in Chapter II, Paragraphs 9 and 10 of this Regulation and the technical instructions when preparing a postal item containing dangerous articles for carriage by aircraft, it shall inform the consignor or the provider of services preparing dangerous goods for carriage by aircraft, or the provider of postal services, and the aircraft operator of the established non-compliance and safety risks;

20.2. in respect of the regulated agents:

20.2.1. verify whether the procedures for the preparation of dangerous goods conform to the requirements of the technical instructions;

20.2.2. verify whether the training for the employees involved in the preparation of dangerous goods for carriage by aircraft conforms to the requirements laid down in the technical instructions and Chapter XI of this Regulation;

20.2.3. if the Civil Aviation Agency establishes that the regulated agent has failed to conform to the requirements laid down in Paragraph 11 of this Regulation and the technical instructions when preparing the dangerous goods for carriage by aircraft, it shall inform the regulated agent and the aircraft operator of the established non-compliance and safety risks;

20.3. in respect of the providers of ground handling services for aircraft:

20.3.1. verify whether the training for the employees involved in the preparation of dangerous goods for carriage by aircraft conforms to the requirements laid down in the technical instructions and Chapter XI of this Regulation;

20.3.2. verify whether the procedures for loading the dangerous goods into the aircraft conform to the requirements of the technical instructions;

20.4. in respect of the aerodrome operators:

20.4.1. at least once a year, verify the results of inspections conducted within the framework of the internal quality control system of the aerodrome operator;

20.4.2. verify the readiness of the aerodrome emergency and rescue services to neutralise discharge of dangerous goods within the aerodrome territory and also the readiness to collect dangerous contamination and prevent possible harm to persons, property, and the environment;

20.4.3. verify whether the training programmes and work instructions for the personnel involved in the security screenings of passengers, luggage, cargo, and postal items, and also the knowledge and practical skills of the personnel involved in aviation security screening conform to the requirements of the technical instructions;

20.4.4. if the Civil Aviation Agency establishes that the aerodrome operator has infringed the requirements laid down in Chapter IV of this Regulation and the technical instructions, it shall, within three working days, inform the aerodrome operator thereof and request to carry out appropriate activities to eliminate the non-compliance within a specified deadline. The deadline for eliminating the non-compliance shall be determined depending on the nature and extent of the non-compliance, but not longer than three months from the day of notification of the non-compliance;

20.5. in respect of the aircraft operators registered in the Republic of Latvia:

20.5.1. approve the procedures, instructions, management system procedures, and personnel qualification requirements for the aircraft operator included in the manual referred to in Sub-paragraph 17.2 of this Regulation so that the aircraft operator and its contracted providers of services referred to in Sub-paragraph 2.2 of this Regulation can ensure that the carriage of dangerous goods conforms to the requirements of the technical instructions and prevent the carriage of undeclared dangerous goods;

20.5.2. approve the training programmes referred to in Sub-paragraph 17.3 of this Regulation and verify the compliance of the instructor rating with conducting training on the requirements of the technical instructions;

20.5.3. at least once in the supervision cycle of the aircraft operator, verify whether the safety requirements applicable to the carriage of dangerous goods are respected in the operation of the aircraft operator and qualification of personnel complies with the performance of the task thereof, and also verify management systems for the supervision of the compliance of the operation of the aircraft operator and its contracted providers of services. The supervision cycle shall be set for a period of one to three years (depending on risk factors);

20.5.4. if the Civil Aviation Agency establishes that the aircraft operator has not conformed to the requirements of the laws and regulations in the field of carriage of dangerous goods by air, it shall, in accordance with the methodology for the classification of non-compliance specified in ARO.GEN.350(b), (c), and (d) of Annex II to Regulation No 965/2012, evaluate the impact of the respective violation on the safety level of aircraft flights and take the following measures:

20.5.4.1. determine how significantly the established violation or a combination thereof lowers the safety level of aircraft flights, exposing the aircraft, passengers, aircrew, or other service personnel to risk;

20.5.4.2. in accordance with ARO.GEN.350(b), (c), and (d) of Annex II to Regulation No 965/2012, take the decision on the partial restriction or suspension of the carriage of dangerous goods and prepare a report on the non-compliance with the carriage of dangerous goods;

20.5.4.3. inform the aircraft operator and specify the activities to be performed to eliminate the non-compliance and deadlines for the performance thereof. The deadline for eliminating the non-compliance shall be determined depending on the nature, cause, and extent of the non-compliance, but not longer than three months;

20.5.4.4. apply the restrictions referred to in Sub-paragraph 20.5.4.2 of this Regulation until the moment when the aircraft operator proves to the Civil Aviation Agency that the non-compliance has been eliminated;

20.5.4.5. if the non-compliances have not been eliminated within the specified deadline, the Civil Aviation Agency shall take the decision on the application of further restrictions, suspension or cancellation of the approval in accordance with Paragraph 25 or 26 of this Regulation;

20.5.4.6. if the non-compliances are due to the participant in the movement of dangerous goods to whom the aircraft operator has delegated, on a contractual basis, its obligations related to the carriage of dangerous goods specified in the technical instructions and the identified non-compliances have lowered the safety level of aircraft flights, the aircraft operator shall be subject to the measures referred to in Sub-paragraphs 20.5.4.1, 20.5.4.2, 20.5.4.3, 20.5.4.4, and 20.5.4.5 of this Regulation;

20.6. in respect of the aircraft operators registered abroad and authorised representatives thereof carrying out commercial activities in the Republic of Latvia:

20.6.1. verify whether the safety requirements applicable to the carriage of dangerous goods are respected in the operation of the aircraft operators in accordance with Regulation No 965/2012 and this Regulation and assess the identified non-compliances in accordance with the methodology for the classification of non-compliance specified in ARO.GEN.350(b), (c), and (d) of Annex II to Regulation No 965/2012;

20.6.2. inform the aircraft operator and the competent institutions in the field of aviation of its country of registration of the established non-compliances and request measures to eliminate them;

20.6.3. if the established non-compliances significantly lower the safety of aircraft flights, exposing the aircraft, passengers, aircrew, or other service personnel to risk, the Civil Aviation Agency shall impose restrictions in writing on the aircraft operator registered abroad in respect of the carriage of dangerous goods to and from aerodromes within the territory of the Republic of Latvia.

21. The Civil Aviation Agency shall determine the necessity and frequency of verifications (audits and inspections) on the basis of a safety risk assessment and the potential consequences of an occurrence involving dangerous goods.

**VII. Issuance of Approvals for the Carriage of Dangerous Goods by Air**

22. The Civil Aviation Agency shall, within a month, examine the documents referred to in Paragraph 17 of this Regulation, assess the ability of the aircraft operator to perform carriage of dangerous goods by air in accordance with the requirements laid down in ORO.GEN.110(j), ORO.GEN.200, ORO.GEN.205(a)(1) of Annex III, and SPA.DG.100, SPA.DG.105, and SPA.DG.110 of Annex V to Regulation No 965/2012, and the technical instructions, and take the decision to issue the approval or to refuse to issue the approval.

23. The Civil Aviation Agency shall take the decision to issue the approval if the aircraft operator has fulfilled the requirements referred to in ORO.GEN.110(j), ORO.GEN.200, ORO.GEN.205(a)(1) of Annex III and SPA.DG.105 of Annex V to Regulation No 965/2012 and has submitted all the documents referred to in Paragraph 17 of this Regulation.

24. The Civil Aviation Agency shall take the decision to refuse to issue the approval if the aircraft operator has failed to fulfil the requirements referred to in ORO.GEN.110(j), ORO.GEN.200, ORO.GEN.205(a)(1) of Annex III and SPA.DG.105 of Annex V to Regulation No 965/2012 or has failed to submit any of the documents referred to in Paragraph 17 of this Regulation.

25. If during the validity period of the approval, the aircraft operator does not meet the requirements referred to in Paragraph 15 of this Regulation or fails to fulfil the requirements referred to in ORO.GEN.110(j), ORO.GEN.200, ORO.GEN.205(a)(1) of Annex III and SPA.DG.105(a) of Annex V to Regulation No 965/2012, the Civil Aviation Agency shall take the decision to suspend operation of the issued approval for up to six months, indicating which established non-compliances need to be addressed by the aircraft operator.

26. The Civil Aviation Agency shall take the decision to cancel the issued approval if the aircraft operator:

26.1. has not eliminated the non-compliances established by the Civil Aviation Agency within the period specified by the Civil Aviation Agency, but not longer than six months after the suspension of operation of the issued approval;

26.2. refuses to use the approval.

27. The approval shall be included in the aircraft operator certificate.

**VIII. Issuance of One-time Carriage by Air, Overflight, and Exception Permits in Respect of Dangerous Goods that Conform to the Requirements of the Technical Instructions**

28. The aircraft operator who wishes to perform one-time carriage of dangerous goods by air or overfly the airspace of the Republic of Latvia with dangerous goods that conform to the requirements of the technical instructions or to obtain an exception permit for one-time carriage of dangerous goods by air or overflight (hereinafter – the exception permit) shall submit a request to the Civil Aviation Agency to issue the operator an overflight permit no less than five working days before the intended flight. The respective request shall be accompanied by the following documents and information:

28.1. a copy of the aircraft registration certificate;

28.2. a statement of the aircraft operator confirming that the dangerous goods are packaged and secured in the aircraft in conformity with the requirements laid down in the technical instructions;

28.3. information on the dangerous goods, flight route and time, purpose of the flight, aircrew, and identification signal (including reserve one, if different).

29. When performing one-time carriage of dangerous goods to an aerodrome in the Republic of Latvia, the aircraft operator shall, in addition to the documents and information referred to in Paragraph 28 of this Regulation, submit the consent of the destination aerodrome operator to provide aerodrome services.

30. The Civil Aviation Agency shall evaluate conformity of the information included in the request to the requirements referred to in Annex 18 to the Convention, technical instructions, and Paragraphs 28 and 29 of this Regulation, and, not later than two working days before the intended flight, send the aircraft operator the one-time carriage by air, overflight, or exception permit, or a refusal to issue the one-time air carriage by air, overflight, or exception permit if the Civil Aviation Agency establishes that the information included in the request does not conform to the requirements of Annex 18 of the Convention, technical instructions, and Paragraphs 28 and 29 of this Regulation.

**IX. Certification of Training Providers**

31. Training providers who have obtained a certificate in accordance with the procedures laid down in this Regulation are entitled to provide training for the employees and instructors involved in the preparation of dangerous goods for carriage by aircraft and in the carriage thereof by aircraft.

32. A legal person who intends to apply for the certificate of a training provider shall submit the following documents to the Civil Aviation Agency:

32.1. the submission for obtaining the certificate, indicating the intended type of training, the name of the training provider, the legal address, and the accountable manager who ensures establishment and maintenance of the training process. A person who has been granted the right of signature may be appointed as the accountable manager;

32.2. the list of instructors together with documents attesting the qualification of each instructor;

32.3. the list of training aids and equipment to be used in the training process;

32.4. the initial and recurrent training programmes containing the following information:

32.4.1. the aim and content of the training course;

32.4.2. the methodology of the training course;

32.4.3. a detailed description and duration of the theoretical training process;

32.4.4. a detailed description and duration of the practical training process;

32.4.5. the procedures for examination and evaluation.

33. When developing a training programme, the applicant shall take into account the requirements referred to in the technical instructions.

34. The Civil Aviation Agency shall take the decision to issue a certificate of a training provider if:

34.1. the applicant has submitted all the documents referred to in Paragraph 32 of this Regulation;

34.2. the training programme referred to in Sub-paragraph 32.4 of this Regulation conforms to the requirements laid down in Part 1, Chapter 4 of the technical instructions.

35. The certificate of a training provider shall include the following information:

35.1. the full name of the issuing authority of the certificate;

35.2. the number of the certificate;

35.3. the name of the training provider;

35.4. the certified fields of the training;

35.5. the date of issue of the certificate;

35.6. the term of validity of the certificate;

35.7. the given name, surname, and signature of the responsible official of the issuing authority of the certificate.

36. The Civil Aviation Agency shall take the decision to refuse to issue the certificate of a training provider if:

36.1. any of the documents referred to in Paragraph 32 of this Regulation have not been submitted;

36.2. the training programme referred to in Sub-paragraph 32.4 of this Regulation does not conform to the requirements laid down in Part 1, Chapter 4 of the technical instructions.

37. The training provider has the following obligations during validity period of the certificate:

37.1. submit information to the Civil Aviation Agency on any amendments to the documents referred to in Paragraph 32 of this Regulation;

37.2. at least 30 days before making changes to training programmes, submit them for approval to the Civil Aviation Agency;

37.3. ensure that the instructors involved in the training process have valid documents attesting the qualification.

38. If the Civil Aviation Agency establishes that during the validity period of the certificate the training provider does not conform to the requirements of this Regulation, it shall take the decision to temporarily suspend the operation of the certificate issued to the training provider and determine the period during which the training provider must eliminate the established non-compliances.

39. The Civil Aviation Agency shall decide to withdraw the certificate issued to a training provider if the training provider:

39.1. has not eliminated the established non-compliances within the deadline specified in accordance with Paragraph 38 of this Regulation;

39.2. refuses to use the certificate.

**X. Certification of Instructors**

40. A natural person can be an instructor if he or she:

40.1. has completed a training programme for instructors approved by the Civil Aviation Agency in accordance with the requirements laid down in Part 1, Chapter 4 of the technical instructions and has successfully passed examinations provided for in the training programme for instructors (at least 85 per cent of correct answers) or has completed a training programme for instructors approved by the responsible institution of any other country of the European Economic Area, or has completed recognised international instructor courses on the preparation of dangerous goods for carriage by aircraft or on the carriage thereof by aircraft;

40.2. conforms to the requirements referred to in Part 1, Chapter 4 of the technical instructions.

41. A natural person who intends to apply for the instructor certificate shall submit the following documents to the Civil Aviation Agency:

41.1. a submission for obtaining the certificate, indicating his or her given name, surname, address of the declared place of residence, telephone number, e-mail, and the intended field of training;

41.2. a statement of the training provider confirming that the applicant has successfully completed a training programme for instructors approved by the Civil Aviation Agency in accordance with the requirements laid down in Sub-paragraph 40.1 of this Regulation or has completed a training programme for instructors approved by the responsible institution of any other country of the European Economic Area, or has completed recognised international instructor courses on the preparation of dangerous goods for carriage by aircraft or on the carriage thereof by aircraft.

42. The Civil Aviation Agency shall take the decision to issue the instructor certificate if:

42.1. the applicant conforms to the requirements referred to in Paragraph 40 of this Regulation;

42.2. the applicant has submitted all the documents referred to in Paragraph 41 of this Regulation.

43. The instructor certificate shall contain the following information:

43.1. the full name of the issuing authority of the certificate;

43.2. the number of the certificate;

43.3. the given name, surname, and date of birth of the person;

43.4. the certified fields of the training;

43.5. the date of issue of the certificate;

43.6. the term of validity of the certificate;

43.7. the given name, surname, and signature of the responsible official of the issuing authority of the certificate.

44. The Civil Aviation Agency shall take the decision to refuse to issue the instructor certificate if:

44.1. the applicant does not conform to the requirements referred to in Paragraph 40 of this Regulation;

44.2. the applicant has failed to submit any of the documents referred to in Paragraph 41 of this Regulation.

45. The instructor shall, at least once every two years, attend relevant courses for maintaining qualification in respect of the preparation of dangerous goods for carriage by aircraft or carriage thereof by aircraft and submit a statement of the training provider to the Civil Aviation Agency confirming successful completion of training programme of the respective courses at least seven working days before expiry of the period for the renewal of qualification.

46. The Civil Aviation Agency shall take the decision to extend the validity period of the certificate referred to in Paragraph 4 of this Regulation for five years if the instructor, not later than 10 working days before expiry of the validity period of the certificate, has submitted a submission for the extension of the validity period of the certificate and a copy of the certificate or another document attesting to the fulfilment of the requirements referred to in Paragraph 45 of this Regulation.

47. The Civil Aviation Agency shall take the decision to temporarily suspend the operation of the certificate issued to an instructor and determine the period within which the instructor must eliminate the established non-compliances if the instructor:

47.1. has failed to fulfil the requirements referred to in Paragraph 45 of this Regulation;

47.2. fails to ensure that trainees complete the training programme approved by the Civil Aviation Agency in full amount when carrying out the training.

48. The Civil Aviation Agency shall take the decision to cancel the certificate issued to an instructor if the instructor:

48.1. has not eliminated the established non-compliances within the deadline specified in accordance with Paragraph 47 of this Regulation;

48.2. refuses to use the certificate.

49. For the purpose of carrying out training for the categories of personnel specified in this Regulation in the Republic of Latvia, an instructor certified in another country of the European Economic Area shall submit the instructor certificate and the submission for recognition thereof to the Civil Aviation Agency.

50. The Civil Aviation Agency shall, within one month after receipt of the documents referred to in Paragraph 49 of this Regulation, provide the instructor certified in a country of the European Economic Area with an opinion on his or her ability to provide training in the Republic of Latvia in accordance with the requirements laid down in this Regulation and Part 1, Chapter 4 of the technical instructions.

**XI. Training of Employees**

51. Initial and recurrent training on the requirements of technical instructions shall be carried out for the employees of the following legal persons involved in the preparation of dangerous goods for carriage by aircraft or in the carriage thereof by aircraft (hereinafter – the employees):

51.1. employees of consignors;

51.2. employees of the participants in the movement of dangerous goods providing intermediary services, i.e. the preparation of dangerous goods for carriage by aircraft (except for the carriage of postal items);

51.3. employees of the providers of postal services;

51.4. employees of regulated agents;

51.5. employees of the participant in the movement of dangerous goods providing ground handling services;

51.6. employees of aerodrome operators;

51.7. employees of aircraft operators registered in the Republic of Latvia;

51.8. employees of legal persons who, on behalf of the aircraft operator, check in passengers and luggage thereof at the airport, and also perform other procedures necessary for carriage by air;

51.9. employees of legal persons who, on behalf of the carrier, check in passengers for a flight outside the airport;

51.10. employees of aerodrome operators and aircraft operators performing security screenings of passengers, luggage, cargo, or postal items;

51.11. employees of emergency and rescue services of aerodrome operators who are responsible for the elimination of consequences of the discharge of dangerous goods or fire ignition at aerodromes, on premises of tenants thereof, and on aircraft, to the extent necessary for the performance of rescue operations.

52. Employees shall receive training and take a qualification examination at the training provider in accordance with a training programme approved by the Civil Aviation Agency which conforms to the requirements laid down in Part 1, Chapter 4 of the technical instructions and Paragraphs 53, 55, and 56 of this Regulation, except for the persons involved in rescue operations who are trained in accordance with the requirements of Section 18 of the Fire Safety and Fire-fighting Law.

53. The training programme shall include the information referred to in Sub-paragraphs 32.3 and 32.4 of this Regulation and the minimum requirements laid down in the technical instructions, supplemented with information on specific duties of employees according to the procedures established by legal persons for the elimination of the consequences of occurrences involving dangerous goods. The training programme shall include the following sections:

53.1. general conditions and requirements of laws and regulations in respect of the carriage of dangerous articles;

53.2. work duties that provide for the understanding of the requirements specified in the technical instructions in the fields for which a specific employee is responsible;

53.3. safety rules specified in the procedures of legal persons which also include information on safe working methods, risk factors related to dangerous goods, and actions in emergency situations;

53.4. practical actions in emergency situations in case of the discharge of dangerous substances or fire ignition (including the use of personal protective equipment, isolation of the source of discharge, extinguishing of fire, evacuation of people and material assets from the premises, and reporting to emergency and rescue services).

54. If work duties of an employee include several tasks, he or she shall complete a training programme corresponding to the full scope of tasks to be performed.

55. Information on the theoretical and practical qualification examinations and the criteria for successful completion thereof shall be added to the training programme as a separate section.

56. The training programme shall also include information on the natural or legal persons who have developed the programme (indicating the given name, surname of the respective persons (name of the legal person), and date of birth of the person (registration number of the legal person)), and information on the instructors who will train persons according to this programme, and it shall be accompanied by copies of certificates confirming qualifications of the instructors.

57. Recurrent training for employees shall take place at least once every two years.

58. The employer shall register information in writing on the training of employees and retain it during employment relationship between the employer and employee for at least 36 months after the last day of training. The employer shall register the following information:

58.1. the given name, surname, and date of birth of the employee;

58.2. the date of successful completion of the last training course;

58.3. the name of the training programme and the date when it was approved by the Civil Aviation Agency;

58.4. a concise outline of the programme, the names of the subjects completed, the time allocated for theoretical and practical classes, and a copy of the qualification test of the trainee;

58.5. the training provider or the instructor who has carried out the training.

59. The employer shall also retain the documents confirming individual training of employees which include the person’s given name, surname, and date of birth, the time of training, the name of the training programme, and the statement of the training provider that the employee has successfully completed the training programme approved by the Civil Aviation Agency.

**XII. Passenger Information**

60. Aircraft operators, authorised representatives thereof, and aerodrome operators shall inform passengers of the dangerous articles prohibited for carriage by air at least in the following manners:

60.1. indicate information in the passenger’s ticket (also if the passenger purchases an electronic ticket), ensuring that the passenger is informed of the restrictions applicable to hand luggage and checked luggage before the purchase of the ticket;

60.2. display information in a clearly visible place at the airport where passengers purchase tickets, check in for flights, undergo pre-flight security checking, and also before boarding the aircraft.

61. The aircraft operator shall ensure that employees who check in passengers for the flight can competently explain to passengers the requirements applicable to the prohibition of the carriage of dangerous articles and also provide accurate information on the articles that passengers are allowed to carry as an exception and precise conditions for such carriage.

62. Legal persons involved in the sale of airline tickets shall ensure that employees who sell airline tickets are able to:

62.1. competently explain to passengers the requirements applicable to the restrictions on the carriage of dangerous articles;

62.2. provide accurate information on the articles that passengers are allowed to carry as an exception;

62.3. explain precise conditions for the relevant carriage on the planned flight route that is performed by the types of aircraft used by the operators involved in the carriage.

**XIII. Investigation of the Cases of Undeclared Carriage of Dangerous Goods**

63. In the case of an occurrence involving dangerous articles or dangerous goods or undeclared or incorrectly declared carriage of dangerous goods by aircraft, the participant in the movement of dangerous goods who is responsible for the relevant dangerous goods shall report it to the Civil Aviation Agency within 48 hours from the moment of discovering the occurrence.

64. In the case of undeclared carriage of dangerous goods or an attempt of such carriage, the Civil Aviation Agency shall determine the circumstances of the occurrence and take necessary measures to eliminate the circumstances which have caused or contributed to the violations of laws and regulations in the field of aviation. If necessary, the Civil Aviation Agency shall also request information from the competent aviation supervisory authority in the country linked to the undeclared carriage of dangerous goods.

**XIV. Closing Provisions**

65. Certificates of training providers and instructor certificates issued in accordance with Cabinet Regulation No. 123 of 26 February 2008, Procedures for the Carriage of Dangerous Articles and Dangerous Goods by Air, shall be valid until expiry of the validity period of the relevant certificate.

66. Cabinet Regulation No. 123 of 26 February 2008, Procedures for the Carriage of Dangerous Articles and Dangerous Goods by Air (*Latvijas Vēstnesis*, 2008, No. 35), is repealed.

Prime Minister A. K. Kariņš

Minister for Transport J. Vitenbergs