

AUTHORISATION UNDER PARAGRAPH 15 OF SCHEDULE 1 TO THE CIVIL AVIATION ACT 1982 AND AGREEMENT UNDER SECTION 13(4) OF THE HEALTH AND SAFETY AT WORK ETC. ACT 1974

This Authorisation and Agreement is made on the 26th day of October 2011 by the Civil Aviation Authority (“CAA”) and the Health and Safety Executive (“the Executive”).

WHEREAS

the CAA is the competent authority for the United Kingdom as regards the transport by air of dangerous goods, including radioactive materials;

the Executive has particular expertise in relation to the transport of radioactive materials in all modes of transport including air;

the CAA has agreed to authorise the Executive to perform certain of its functions as regards the transport by air of radioactive materials;

the Secretary of State is of the opinion that these functions can appropriately be performed by the Executive; and

the Executive has agreed to perform those functions

IT IS NOW AGREED THAT:

1. The CAA authorises, pursuant to paragraph 15 of Schedule 1 to the Civil Aviation Act 1982, the Executive to perform the functions set out in the Schedule to this Authorisation and Agreement on behalf of the CAA.
2. The Executive agrees, under section 13(4) of the Health and Safety at Work etc Act 1974, to perform those functions on behalf of the CAA, being functions that in the opinion of the Secretary of State for Work and Pensions can appropriately be performed by the Executive.
3. This Authorisation and Agreement comes into effect on 26 October 2011. It will terminate on the expiry of three months written notice of termination given by either party to the other party.

The Common Seal of

THE CIVIL AVIATION AUTHORITY

hereunto affixed is authenticated by:-

Kate Staples
GENERAL COUNSEL AND SECRETARY
TO THE CAA



A person duly authorised

The common seal of the HEALTH AND SAFETY EXECUTIVE hereunto affixed is authenticated by: -

Judith Hackitt

A handwritten signature in black ink on a light yellow background. The signature reads "Judith Hackitt" in a cursive style. Below the signature, there is a faint, partially obscured stamp that appears to say "Chair, Health and Safety Executive".

Chair, Health and Safety Executive



SCHEDULE

FUNCTIONS TO BE PERFORMED BY THE EXECUTIVE ON BEHALF OF THE CAA

Functions of the Competent Authority under the Technical Instructions

The Technical Instructions for the safe transport of dangerous goods (including class 7 goods¹) by air are published biennially by the International Civil Aviation Organisation (“the Technical Instructions”)². The current edition (2011-12 edition) of the Technical Instructions is valid for operations from 1 January 2011.

The Technical Instructions include obligations related to the transport by air of class 7 goods to be discharged by the competent authority. The competent authority of the United Kingdom for the purposes of the obligations of the Technical Instructions related to the transport of dangerous goods by air is, by virtue of article 255 of the Air Navigation Order 2009, the CAA.

The functions of the CAA as Competent Authority set out below are, in so far as they relate to the transport of class 7 goods, to be performed by the Executive.

For the purposes of this Authorisation and Agreement, a reference to a provision in the 2011-2012 edition of the Technical Instructions shall be deemed to be a reference to the corresponding provision in any subsequent edition of the Technical Instructions:

<i>Provision in the 2011-12 Edition of the Technical Instructions (identified in accordance with those Technical Instructions)</i>	<i>Function(s)</i>
1;3.1.1	Agreement that an assembly of fissile material and packaging components specified by the designer as intended to preserve criticality safety forms a specified confinement system
1;6.2	Inspection of Radiation Protection Programme Documents
1;6.3	All functions of the CAA as Competent Authority.
1;6.4	All functions in this provision of the CAA as Competent Authority
1;6.6 (d)	Receiving notification of an incident where an emergency exposure situation has developed or is developing
2;7.2.2.2	Determination of activity level (unlisted A ₂

¹ Class 7 goods means the same as in the European Agreement concerning the International Carriage of Dangerous Goods by Road.

² Compliance with the 2011-12 edition of the Technical Instructions is required in the UK by the Air Navigation (Dangerous Goods) Regulations 2002, as amended.

	values)
2;7.2.3.3	Unilateral Approval of Special Form radioactive material
2;7.2.3.3.2(c)	Definition of acceptable acceptance threshold in relation to leakage rates for sealed sources
2;7.2.3.3.8(b)	Confirmation of which tests in ISO9978:1992 relating to alternative volumetric leakage assessment are acceptable
2;7.2.3.4.1	Multilateral approval of the design for low dispersible radioactive material
4;9.1.7(d)	Issue of unilateral exemption from the requirement to hold Type B(U); Type B(M); and Type C packages until equilibrium conditions have been approached closely enough to demonstrate compliance with temperature and pressure
5;1.2.1.2 a), b) and c)	Multilateral approval for the shipment of: a) Type B(M) packages not conforming with the requirements of 6;7.6.5, b) Type B(M) packages containing radioactive material with an activity greater than 3000 A ₁ or 3000 A ₂ as appropriate, or 1000 TBq, whichever is the lower; and c) packages containing fissile materials if the sum of the criticality safety indexes of the packages in a single freight container or in an aircraft exceeds 50
5;1.2.1.2	Authorisation of transport into or through a country without shipment approval by a specific provision in a package design approval
5;1.2.1.3	Approval of provisions under which a consignment may be transported by special arrangement
5;1.2.1.4(a)	Receipt etc. of notification before the first shipment of any package requiring competent authority approval, the shipper must ensure that copies of each applicable competent authority certificate applying to that package design have been submitted to the competent authority of the country of origin of the shipment and to the competent authority of each country through or into which the consignment is to be transported.
5;1.2.1.4(b)	Receipt of notification of shipments of Type C and Type B(U) packages with an activity of greater than 3000 A ₁ or A ₂ (as appropriate) or 1000 TBq (whichever is the lower); Type B(M) packages; and shipments under special arrangement.
5;1.2.2.1	All functions in this provision of the CAA as Competent authority

5;1.2.2.3	Requesting etc., for package designs where a competent authority issued certificate is not required, documentary evidence of the compliance of the package design with all the applicable requirements will be performed by both the CAA and the Executive.
5;2.4.5.1 b) iii)	Specification of packaging identification marks for Type IP-2; Type IP-3; and Type A packages
6;7.5.4	Approval to ship packages designed to carry 0.1kg or more of uranium hexafluoride and meeting specified conditions.
6;7.6.6	Confirmation that Type A package design and manufacturing techniques are acceptable if not in accordance with national or international standards.
6;7.10.6	Specification of alternate ambient temperature range for packages containing fissile material
6;7.21	Approvals of Package Designs and Materials
6;7.22.1	Receipt of notification of serial numbers to the competent authority and maintenance of a register of such serial numbers
6;7.22.2	Approval by validation.
6;7.23.2	Determining whether changes in design or quantity would significantly affect safety.
7;1.6	All functions of CAA in relation to undeliverable consignments when the material is no longer in the care of the operator.
7;2.9.1.1	All functions of CAA in relation to the classification of personnel as "radiation workers".
7;2.9.3.2	Determining etc. special stowage provisions for packs or overpacks