



## **CIVIL AVIATION (SAFE TRANSPORT OF DANGEROUS GOODS BY AIR) ORDER 2020 EXEMPTION FROM CLASSIFICATION OF MPOX VIRUS NOT INCLUDING CULTURES**

### **BACKGROUND**

- (1) The Civil Aviation (Safe Transport of Dangerous Goods by Air) Order 2020 implements ICAO Annex 18 'The Safe Transport of Dangerous Goods by Air' in the Island and requires that dangerous goods be carried by air in accordance with the Technical Instructions for the Safe Transport of Dangerous Goods by Air (Doc 9284) ("TI"). The carriage of dangerous goods must either comply with the specific requirements applicable to the particular dangerous goods or be carried in accordance with an exemption permitted by that document.
- (2) This is such an exemption and is issued to meet urgent operational needs and urgent unforeseeable circumstances surrounding the outbreak of the Monkeypox virus which led to the UN Sub Committee agreement to change the indicative classification for Mpxv virus samples from "Infectious Substance Category A" to "Biological Substance Category B" ("the Agreement"). Only the cultures of Monkeypox virus will remain classified as Category A. The World Health Organisation, the UK Department for Transport and the UK Chief Medical Adviser support the Agreement.
- (3) This exemption, which mirrors that issued by the UK Civil Aviation Authority, will enable the transport of Monkeypox virus samples by air ahead of a change to Edition 2025-2026 of the ICAO Technical Instructions (TI). The change to the TI is anticipated to reflect the Agreement from 01 January 2025 onwards.

### **INTERPRETATION**

- (4) In this Exemption:
  - (a) "Technical Instructions" ("TI") means 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 International Civil Aviation Organisation Council.

### **EXEMPTION**

- (5) The Department for Enterprise, in exercise of its powers under Article 11(1)(b)(i) and (iii) of the Civil Aviation (Safe Transport of Dangerous Goods by Air) Order 2020<sup>1</sup> ("the Order"), and as detailed in Part 1; 1.1.3 of the TI, subject to the conditions in paragraph 8, exempts any Isle of Man shipper and agent thereof, any aircraft operator ("the operator"), together with the pilot in command, of any aircraft flying for the purposes of commercial air transport, and any agent thereof, from the provisions of article 4 of the Order that requires compliance with the Technical Instructions specified in paragraph 7 but only to the extent necessary to permit the carriage of the dangerous goods specified in paragraph 6 when forwarded for carriage on board an aircraft and consigned within the Isle of Man or between the Isle of Man and the UK, if applicable, subject to the conditions in paragraph 8.

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<sup>1</sup> [SD No. 2020/0138](#)

- (6) The dangerous goods permitted for carriage by this exemption are UN2814 Infectious substance, affecting humans, containing Mpox virus. This exemption does not apply to cultures of Mpox virus.
- (7) This exemption is granted from the classification provisions of Part 2;6.3.2.2.1 of the TI.
- (8) This exemption is granted subject to the following conditions:
- (a) the operator must hold a Dangerous Goods approval CAT.GEN.MPA.200 and SPA.DG.100 of UK Regulation (EU) No. 965/2012;
  - (b) infectious substance, affecting humans, containing Mpox virus, except for cultures of Mpox virus, must be carried under UN3373, Biological substance, Category B, n.o.s., or UN3291 Clinical waste, unspecified, n.o.s, as appropriate;
  - (c) the operator shall ensure that their operational personnel and contracted agents are informed of the carriage of mail/cargo containing the dangerous goods specified in paragraph 6 and the danger which they can give rise to;
  - (d) the dangerous goods shall be packed, marked, labelled and documented, where appropriate, in accordance with the TI; and
  - (e) the acceptance, loading and stowage of the said goods, where appropriate, shall be carried out in compliance with the TI.
- (9) When operating to/from the UK, the operator must additionally obtain an exemption from the UK Civil Aviation Authority, in accordance with the provisions of Parts 1;1.1.3 and 1;1.1.4 of the TI.

#### **VALIDITY**

- (10) This exemption and permission has effect from 1 July 2024 and remains in force until 1 January 2025 unless previously revoked.

For and on behalf of the Department for Enterprise:

#### **Isle of Man Civil Aviation Administration**

Ground Floor, Viscount House

Isle of Man Airport, IM9 2AS

