REGISTRATION FOR AUTHORIZED FREIGHT FORWARDER / SHIPPER FOR HANDLING DANGEROUS GOODS BY AIR

AIR NAVIGATION ORDER

VERSION : 3.0
DATE OF IMPLEMENTATION : 30-07-2019
OFFICE OF PRIME INTEREST : (Air Transport & Economic Regulations Directorate)
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<td>MUHAMMAD ASHFAQ</td>
<td>Sr. Joint Director Air Transport National Regulations</td>
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<td>ABID ALI KHAN</td>
<td>Additional Director Air Transport National Regulations</td>
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<td>Air Commodore IRFAN SABIR</td>
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<td>Air Commodore SYED NASIR RAZA HAMDANI</td>
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<td>Director General Pakistan Civil Aviation Authority</td>
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A. **AUTHORITY:**

A1. This Air Navigation Order (ANO) is issued by the Director General Pakistan Civil Aviation Authority in pursuance of Pakistan Civil Aviation Authority Ordinance 1982 (PCAAO 1982), Civil Aviation Rules 1994 (CARs 1994), National Aviation Policy (NAP), Directives / Instructions issued by the Federal Government / DG CAA and Technical Instructions issued by ICAO Doc 9284-AN/905.

B. **PURPOSE:**

B1. The purpose of this ANO is to prescribe the requirements for Registration of Authorized Freight Forwarder / Shippers who intend to involve in handling / carriage of Dangerous Goods by Air.

C. **SCOPE:**

C1. This ANO is applicable to all legal entities i.e Companies / Enterprises / Organizations who intend to hold or have held Certificate of Registration with CAA as Authorized FF / Shipper handling for dangerous goods by air who shall comply with the instructions contained herein.

C2. This ANO is applicable to all the concerned Directorates of CAA who are directly or indirectly involved with the matters relating for handling / carriage of Dangerous Goods by Air.

D. **DESCRIPTION:**

D1. **DEFINITIONS:**

D1.1 The following terms when used in this ANO, shall have the meanings as assigned to them respectively. Any term used in this ANO but not defined herein shall have meaning as given in the Civil Aviation Ordinance 1960, Pakistan Civil Aviation Authority Ordinance 1982, Civil Aviation Rules, 1994 (CARs, 94), other relevant ICAO Annexes / documents:-

D1.1.1 “Air Navigation Order” means orders issued by the Director General CAA under CARs, 94.

D1.1.2 “Applicant” means the person (registered as organization / registered company) applying for registration as AFF/Shipper).

D1.1.3 “Approval” means approval by the Director General.

D1.1.4 “Authority” means the Civil Aviation Authority established under Section 3 of the Pakistan Civil Aviation Authority Ordinance, 1982.

D1.1.5 “Authorized Person” means a person authorized by a Company / Organization / Operator to perform a specific function.

D1.1.6 “Director General” means Director General of the Authority.

D2. **VALIDITY OF THE REGISTRATION CERTIFICATE:**

D2.1 The validity of the Registration Certificate issued under this ANO shall be one year from the date of registration as AFF / Shipper, unless extended by or under the authority of the DAT & ER, for such period, as he may deem appropriate.

D3. **REGISTERED OFFICE:**

D3.1 The Authorization-holder shall have a permanent registered office in Pakistan. Any change in such registered office shall be duly notified to CAA immediately after approval of SECP or Joint Registrar of Firm, as the case may be.

D4. **ELIGIBILITY – REGISTRATION OF AUTHORIZED FF / SHIPPER:**

D4.1 A company shall be eligible for registration with CAA as AFF / Shipper provided that:-
D4.1.1 Company must be registered with SECP as Private Limited or Public Limited by Shares.

D4.1.2 Having a Registered office in Pakistan.

D4.1.3 Applicant must be financially sound.

D4.1.4 Applicant and / or its staff must have required knowledge and certified with valid category 3 or 6 to handle DGR as per ICAO / IATA Documents (at least 02 person at head-office and 01 at branch).

D4.1.5 Majority shareholding must be in local hands.

D4.1.6 Applicant must be certified by IATA.

D4.1.7 In case Applicant intends to apply for more than one station / location then they should have IATA Certificate separately.

Note-1: If Certified AFF / Shipper already registered with Joint Registrar of Firm on partnership deed, shall be required to incorporate with SECP as Public Limited or Private Limited company by shares within a period of ONE YEAR upon implementation of this ANO. Failing which, their Certificate would not be renewed further.

D5. PROCESSING & ISSUE FEE AND SECURITY DEPOSIT:

D5.1 Certificate Processing Fee, Issue Fee and amount of Security are to be deposited in CAA Collection Account No. 0042-79015197-03, Habib Bank Limited, State Life Branch, Karachi, Swift Code: HABBPKKA, IBAN No. PK11 HABB 0000427901519703, or Pay Order / Bank Draft or Online transfers. Pay Order / Bank Draft and Online Transfers (duly supported with documentary evidence i.e. ATM Slip / bank slip) are also acceptable.

D6. REQUIREMENTS FOR ISSUANCE OF CERTIFICATE FOR AFF / SHIPPER:

D6.1 The Applicant shall submit the following documents along with duly filled CAA Form CAAF-014-ATNR to DAT&ER, HQCAA. After verification of documents, the applicant shall submit prescribed application and requisite documents through CAA’s Software, available on CAA’s website, after taking ID and Password from AT&ER Directorate, before submitting hard copies there of:-

D6.1.1 Covering Letter on Company’s letterhead duly signed and stamped by CE of the Company, in which a brief introduction of their business activities shall be given and also indicating the place and city of each office / branch from where the applicant intends to handle DG by air.

D6.1.2 Copy of processing fee, issuance fee and security deposit as per D9.

D6.1.3 Notarized copies of Certificate of Incorporation with Securities & Exchange Commission of Pakistan (SECP).

D6.1.4 Notarized copies of Memorandum & Article of Association incorporated in SECP and signed by the Directors of the Company.

D6.1.5 Notarized copies of Form-3, Form-A, Form-29 or any other prescribed Form duly verified by SECP, as applicable.

D6.1.6 Bank statement along with bank certificate showing financial soundness of the Company.

D6.1.7 Corporate Structure on the Company's letter-head duly signed and stamped by the CE.

D6.1.8 Undertaking from CE of the Company regarding compliance of all regulatory requirements / instructions and that the Company shall abide by the rules / regulations issued by CAA from time to time.

D6.1.9 Notarized copies of other Licences / Certificates issued by CAA, if any.
D6.1.10 Notarized copy of current NTN Certificate / proof for filing IT return issued by FBR.

D6.1.11 Experience and Bio Data of CE and Directors of the Company along with their CNICs and Photographs duly attested by Notary Public.

D6.1.12 Authorization letter in favour of two persons to deal with CAA on behalf of the company, signed by CE.

D6.1.13 Evidence of the required training of handling staff of the Agent in the field of DGR and certified with valid category 3 or 6 to handle DGR as per IATA Dangerous Goods Regulations /ICAO Doc. 9284 Technical Instruction for the Safe Transport of Dangerous Goods by Air (at least 02 person at head-office and 01 at branch) from CAA/IATA approved training organization (notarized copies to be attached).

D6.1.14 Notarized copy of valid Certification of head-office address / for each station by IATA of the Applicant.

D6.1.15 Undertaking that Applicant shall submit NOC from PNRA while applying for DG NOC for shipment of Radio Active Material.

D6.1.16 Undertaking that the Owner and Directors / Managers of the Company are not involved and have no history of safety violations or consumer fraud activities that would pose a risk to the travelling public.

D6.1.17 Any other document(s) as desired by CAA, if required.

D6.2 Applicant would be fully responsible for the authenticity of the required documents submitted for registration. In case of deviation, they would be liable for payment of penalties under CARs 94 and relevant ANOs. Soft copies of CARs, 94; relevant ANOs and the Enforcement Manual are available on CAA’s website www.caapakistan.com.pk for further information & ready reference.

D6.3 On recommendation of a CAA team formed to study “Current Gaps in Respect of Cargo Operations”, an annual / random inspection of every site / office of freight forwarder from where applicant intends to carry out Dangerous Goods handling “AT NO COST TO CAA” for the applicable expenses as per CAA rules (TA/DA), shall be carried out by representative of Air Transport & Economic Regulation Directorate before issuance / renewal of certificate, to check the capabilities of applicant Freight Forwarder for performing Shipper’s responsibilities in accordance with ICAO Technical Instruction Doc-9284 titled “Transport of Dangerous Goods by Air” and IATA Dangerous Goods Regulation.

D6.4 On successful inspection, the case shall be processed for approval from DAT&ER. After approval, the Registration on CAA Form CAAF-011-ATNR along with Conditions will be issued to AFF/Shipper for each inspected station/location which will be reflected on separate certificate.

D6.5 In case, the registered AFF requires to add more station / location to carry out handling, its CE shall apply on the letter-head for its endorsement with applicable fee equal to issuance fees. After successful inspection, separate certificate for registration for addition of station / location shall be issued with the effective of initial issue.

D7. RENEWAL OF CERTIFICATE AFF / SHIPPER:

D7.1 AFF / Shipper shall submit an application online and also separately on Company’s letter-head along with CAA Form CAAF-014-ATNR signed by the Chief Executive (CE) of the Company or an authorized person to DAT&ER, HQ CAA, Karachi at least 60 days before its expiry. Failing this, the Certificate-holder, in addition to normal renewal fee, shall pay a late fee amounting to Rs.2,000/- per month or part thereof.

D7.2 Original Certificate and its applicable renewal fee.
D7.3 In case AFF/Shipper hold certificate of registration for more than one station/location, shall be required to get renewal for each station.

D7.4 Current copy(s) of IATA Certificate are to be attached duly notarized.

D7.5 Renewed DGR Certificate(s) of company officials are to be attached, duly notarized.

D7.6 Notarized copies of Form-3, Form-A, Form-29 or any other prescribed Form duly verified by SECP, if applicable.

D7.7 No application for renewal of Certificate shall be entertained after expiry of the Certificate unless approval/extension is otherwise granted by DAT&ER. The Certificate-holder shall have no right to continue the privileges of the Certificate unless he justifies such delay to the satisfaction of DAT&ER. In such delayed cases, the Certificate may be processed for renewal subject to imposition of a late fee as prescribed. Meanwhile, on request AFF / Shipper may be granted an extension by DAT&ER in the validity of Certificate for exercising the privileges not more than a period of 60 days or as deemed appropriate to accommodate its DG operations.

D7.8 The Certificate shall stand cancelled automatically, if the certificate holder does not apply for its further renewal for a year after its date of expiry. However, they can apply for issuance of a fresh certificate.

D8. REQUIREMENTS FOR ISSUANCE OF NOC FOR CARRIAGE OF DANGEROUS GOODS BY AIR:

D8.1 Registered AFF / Shipper shall be required to apply to DAT & ER on CAA Form CAAF-015-ATNR, giving all the essential information along with the following:-

D8.1.1 Covering letter on Company's letter-head.

D8.1.2 Copy of Airway bill.

D8.1.3 AFF/Shipper declaration that their DG trained and qualified staff has checked and complied the subject DG consignment regarding its classification, Packing instructions, Labeling and transportation documentation in accordance with ICAO Technical Instruction Doc-9284 titled “Transport of Dangerous Goods by Air” and IATA Dangerous Goods Regulation, the dangerous goods are not forbidden for Transportation by Air as per provision of Annex-18 to the Chicago Convention 1944 and Technical Instructions for the Safe Transport of Dangerous Goods by Air (ICAO DOC 9284-AN/905) / DGR(IATA), as amended from time to time.

D8.1.4 A declaration on the letter-head of the company duly signed and stamped by the CE/Authorized person of the company that NOC has been issued if applicable, from PNRA for Radioactive material.

D8.1.5 A Non-refundable/Non-transferable Processing Fee of Rs. 500/- shall be charged for each NOC issued against a single Dangerous Goods Declaration (DGD) form irrespective of the number of dangerous goods items reflected in the request. Fee shall be paid in authorized bank of CAA collection account and a copy of paid bank challan be attached with NOC request Form.

Note-2 The Form is available on CAA website www.caapakistan.com.pk

D8.2 The NOC on CAA Form CAAF-016-ATNR shall be issued to AFF / Shipper. They would be fully responsible for the authenticity of the details submitted for the issuance of NOC and would be liable for penalties under CARs, 94 and relevant ANOs. Soft copies of CARs, 94, relevant ANOs and the Enforcement Manual are available on CAA's website www.caapakistan.com.pk for further information & ready reference.

D9. CERTIFICATE FEE / CHARGES:
D9.1 The following fee shall be charged for issue / renewal of the Certificate of Authorized AFF / Shipper:

* Processing Fee Rs. 10,000/-
** Issue Fee Rs. 25,000/-
* Renewal Rs. 10,000/-
*** Security Deposit Rs. 100,000/-
* Duplicate Certificate Issue Fee Rs. 25,000/-
* Late Fee Rs. 2,000/-

* Non-refundable.
** Refundable in case the issuance is not approved.
*** Refundable in case the issuance is not approved or at the time of closure of business / surrender of certificate, subject to clearance of CAA’s dues.

Note-3 In case of registration for more than one station / location, issue fee to be deposited separately

Note-4 For renewal of registration for more than one station / location, renewal fee to be deposited separately

D10. REFUSAL FOR RENEWAL OF CERTIFICATE:

D10.1 DAT&ER / AdlD AT NR may refuse renewal of the Certificate in case the Certificate holder fails to meet the Conditions of the Certificate / relevant ANO or fails to meet applicable rules and regulation.

D10.2 Prior to letter of refusal for renewal, DAT&ER / AdlD AT NR shall serve a letter of explanation to the operator followed by Show Cause Notice duly vetted by Legal Branch. In case of an un-satisfactory written reply, the operator, before that, may be asked for a personnel hearing to DAT&ER / AdlD AT NR. In case of non-satisfaction, DAT&ER / AdlD AT NR shall issue letter of refusal.

D10.3 In case the applicant company appeals against the decision of the refusal, DAT&ER / AdlD AT NR shall process the case in accordance with CARs 94 or relevant CAA regulations in consultation with the Legal Branch for the perusal of Competent Authority and the decision whatsoever will be conveyed to the applicant.

D11. CHANGE IN COMPANY’S NAME AND REGISTERED ADDRESS:

D11.1 On receipt of request for change in name of the Certificate holder and / or registered Address, AT&ER Directorate shall send request and relevant documents provided by an applicant, to Legal Branch for vetting of comments.

D11.2 Legal Branch shall vet the documents and convey its approval / no objection or observation within 05 working days to DAT&ER.

D11.3 AdlD AT NR shall send the case for approval of DAT&ER through Finance Directorate.

D11.4 On receipt of the applicable approval / intimation, AdlD AT NR, JtD AT NR shall issue a new Certificate to the applicant after collection of fresh Certificate issuance fee.

D12. CHANGE OF OWNERSHIP OF THE COMPANY ON PURCHASE BASIS:

D12.1 Where the Certificate holder intends to change of ownership of their company, shall inform AT&ER Directorate before concluding an agreement with purchaser. Subsequently, the buyer shall also submit an application to AT&ER Directorate for acquiring necessary permission and current status regarding any CAA’s financial, legal and operational liability against the owner.
D12.2 AT&ER Directorate shall forward the case to Legal, Commercial and Finance Directorate / Branch or any other concerned Directorates to seek comments / no-objection.

D12.3 In case of any liability highlighted by concerned Directorate / Branch, the buyer shall be informed with a copy endorsed to Certificate holder.

D12.4 In case of no-objection, the requisite permission/NOC shall be issued to the buyer with a copy to Certificate holder and also advise the buyer to take further necessary action in line with ANO.

D12.5 Upon receiving of all the requisite documents / requirements, AT & ER Directorate shall process the case on the same pattern as mentioned in Para-D6, where applicable.

D12.6 After approval from DAT&ER, the applicant shall be informed for the intended changes accordingly with a copy to all concerned.

D13. CHANGE IN TOP MANAGEMENT / COMPANY’S HIERARCHY:

D13.1 Agent shall notify the changes to DAT&ER immediately, if there is any change in company’s hierarchy / major share holders or in the top management, duly certified by Securities & Exchange Commission of Pakistan / Joint Registrar of Firm.

D13.2 AdlD AT NR / JtD AT NR shall forward the application along with its attachments to Legal Branch for comments / no objection.

D13.3 Upon obtaining NOC, the Agent shall be informed for the intended changes accordingly with a copy to all concerned quarters.

D14. REQUIREMENTS FOR ISSUANCE OF DUPLICATE CERTIFICATE:

D14.1 Where holder of a certificate reports that the certificate is misplaced / loss or mutilated, the Certificate holder shall be required to apply to the DAT & ER, HQCAA on prescribed Application Form for issuance of a duplicate certificate along with the following documents:-

D14.1.1 Copy of police report (FIR) regarding the misplaced / loss of Certificate, duly notarized.

D14.1.2 Original press clippings (advertisement) published in two leading newspapers (English & Urdu).

D14.1.3 Prescribed Fee Voucher (non-refundable)

Note-5 The application shall inform DAT&ER, in case the police does not recover certificate or no response is received within 30 days of lodging the FIR or issuance of the Press Notices.

Note-6 In case, the certificate is tempered or mutilated and rendered unusable, the applicant shall be required to apply to DAT & ER, HQCAA on prescribed Application Form along with prescribed fee and previous original certificate (mutilated) for issue of duplicate certificate, except copies of FIR and Press Notices.

D15. WITHHOLDING, SUSPENSION/CANCELLATION OF CERTIFICATE AFF/SHIPPER:

D15.1 The Director General CAA / DAT & ER, as the case may be, may withhold, suspend, cancel or revoke the Certificate of Registration and / or AFF /Shipper NOC for carriage of dangerous goods by air of the Agent, if he fails to comply with the Conditions of Registration Certificate, issued to him at the time of issuance of Certificate or Rules / Regulations / Instructions of CAA.
D16. **PUNITIVE ACTIONS:**

D16.1 The Agent / Applicant (person / company), requesting for registration with CAA, shall be fully responsible for the authenticity of the information provided and shall be held responsible / liable for concealment of information and / or submission of incorrect information for which any of the following punitive /enforcement actions may be taken:-

D16.1.1 Imposition of financial fine as per CAA Rules;
D16.1.2 Forfeiture of Security Deposit;
D16.1.3 Cancellation of Registration, and / or
D16.1.4 Any other action as per law.

E. **EVIDENCES (ACRONYMS / RECORDS / REFERENCES):**

E1. **ACRONYMS:**

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E2. **RECORDS:**

E2.1 Application for Registration / Renewal of AFF/Shipper *(CAAF-014-ATNR)*
E2.2 Information Form - NOC for Carriage of Dangerous Goods *(CAAF-015-ATNR)*
E2.3 NOC for Carriage of Dangerous Goods by Air *(CAAF-016-ATNR)*
E2.4 Conditions of Certificate for AFF / Shipper. *(Serial # 006-ATNR)*

E3. **REFERENCES:**

E3.1 Civil Aviation Ordinance 1960
E3.2 Pakistan Civil Aviation Authority Ordinance 1982
E3.3 Civil Aviation Rules 1994, (CARs, 94)
E3.4 Enforcement Manual
E3.5 ICAO Annex-18 to the Chicago Convention 1944
E3.6 Technical Instructions for the Safe Transport of Dangerous Goods by Air (ICAO DOC 9284-AN/905)
E3.7 Document & Record Control (CAAO-001-MSXX)
E3.8 Security Grading/Classification & Maintenance of Files/Documents (CAAO-004-HRBS)

IMPLEMENTATION:

This Air Navigation Order (ANO-002-ATNR) version 3.0 supersedes; Registration of Freight Forwarder / Shippers (ANO-002-ATNR-2.0) and all previous orders / directives on the subject, and shall be implemented with effect from 30th July 2019.

(SHAHRUKH NUSRAT)
Director General,
Pakistan Civil Aviation Authority

Dated: - July 2019

(IRFAN SABIR)
Air Commodore
Director Air Transport & Economic Regulations

Dated: - July 2019

File No. HQCAA1087/302/ATNR/I(PC)