

Order on transportation of weapons, explosives, war equipment and munitions etc. in civil aircraft

In pursuance of § 85 (1) and (2) and § 149 (3), (8) and (10) of the Danish Air Navigation Act, cf. Consolidated Order no. 162 of 7 March 1994, the following is hereby stipulated:

§ 1. This Order applies to operations within Danish territory and operations outside Danish territory by Danish aircraft, cf. however (3).

(2) An aircraft is regarded as Danish when it is registered in Denmark or when it is registered abroad and operated in accordance with a Danish operational permit.

(3) The Order shall not apply to aircraft used for transportation of troops by the Government or on the Government's resolution or with its consent.

§ 2. By weapons, explosives, war equipment and munitions is meant:

- 1) Any type of firearms and barrels, breechblocks and actions for firearms.
- 2) Ammunition for firearms, including cartridge cases, priming screws, percussion caps, fuses and missiles.
- 3) Hand-grenades, bombs and similar weapons functioning by ejection of small bodies caused by an explosion.
- 4) Hand-grenades, bombs, cartridges and similar objects appearing to be weapons or ammunition containing or intended for containing solid substances, fluids or gases that have an injurious, anaesthetising or irritating effect, such as parts of such weapons or ammunition items and tools to activate them.
- 5) Explosives and items containing explosives.
- 6) Crossbows and slingshots.

§ 3. The technical instructions referred to in this Order called International Civil Aviation Organisation Doc. 9284-AN/905: Technical Instructions for the Safe Transport of Dangerous Goods by Air (ICAO-TI), is not entered in the Gazette, cf. Royal Decree no. 727 of 27 November 1989.

(2) Information on the contents of the technical instructions can be obtained by contacting the Civil Aviation Administration - Denmark where the document can be bought in an English edition.

§ 4. Aircraft must not without permission from the Civil Aviation Administration - Denmark carry weapons, explosives, war equipment or munitions, cf. however § 5.

(2) Objects and substance not covered by a permission in accordance with (1) must not be carried in the aircraft cabin, except from the cases mentioned in § 6, but shall be transported as registered baggage or air freight in the aircraft's cargo compartment. Explosives and ammunition shall be packed, marked and declared as stated in the International Civil Aviation Organisation Doc. 9284-AN/905: Technical Instructions for the Safe Transport of Dangerous Goods by Air (ICAO-TI) in force at the time in question.

§ 5. The following may be carried in aircraft without permission under § 4:

- 1) Service weapons with ammunition carried by staff from the national defence, the civil defence or the police.
- 2) Weapons with ammunition carried by persons who under the legislation have been granted special permission to acquire, carry, use, export or import the weapons concerned.

(2) Objects and substances covered by (1) must not be carried in the aircraft cabin, except from the cases mentioned in § 6, but shall be transported as registered baggage in the aircraft's cargo compartment or in another place inaccessible to passengers. For each person there may be transported ammunition weighing totally maximum 5 kilos in safe packaging. Overpack of ammunition for personal use for more than one person is not allowed.

§ 6. The following objects and substances may be transported in the aircraft cabin:

- 1) Functional service weapons with ammunition carried by the police or military staff over the distance where it is officially required.
- 2) Weapons carried by military staff under command during flight with aircraft specially chartered to transport military staff on condition that the weapons do not contain ammunition and that ammunition is not transported in the cabin.
- 3) Locking mechanisms or other essential part for the functioning of the weapon in cases where individual police or military persons shall carry service weapons for use at the destination.

§ 7. Anyone who wants to carry or send objects and substances covered by this Order is under the obligation to give the air carrier in question all information about the objects or substances to be carried or sent.

§ 8. It is prohibited to carry the following in the aircraft cabin:

- 1) Objects and substances involving an obvious risk to be mistaken for the objects and substances mentioned in § 2.
- 2) Objects and substances appearing to particularly suitable as means in using or threatening to use violence to person or aircraft.
- 3) Objects and substances implying an obvious risk to be mistaken for the objects and substances mentioned in 2).

§ 9. Violation of § 4 (1) will be punished by fine, simple detention or imprisonment for up to 2 years in pursuance of § 149 (3) and (8) of the Danish Air Navigation Act.

(2) Violation of § 4 (2), § 5 (2) and § 7 will be punished by fine or simple detention in pursuance of § 149 (8) of the Danish Air Navigation Act.

(3) Violation of § 8 will be punished by fine, simple detention or imprisonment for up to 2 years in pursuance of § 149 (8) of the Danish Air Navigation Act.

(4) For violation committed by a limited company, a co-operative, or the like, penalty may be imposed on the company/co-operative as such, cf. § 149 (14).

§ 10. This Order comes into force on 5 July 1995.

(2) At the same time the Ministry of Public Work's Order no. 98 of 17 March 1997 is repealed.

Ministry of Transport, 23 June 1995

JAN TRØJBORG

/ H. Spangenberg