Accident and incident investigation
010 Air Law and ATC Procedures › 12 Accident investigation

QUESTION

What is the one aim of an EU safety investigation?

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QUESTION

Is a safety investigation separate from a court case about blame?

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QUESTION

Does a bent propeller alone make an accident?

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QUESTION

Which engine damage does not meet the damage condition?

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ANSWER

Yes. It is independent of, and separate from, any court or administrative proceeding that looks for blame.

Reg. 996/2010 Art. 5(6)

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ANSWER

To prevent future accidents and incidents. It never apportions blame or liability.

Reg. 996/2010 Art. 1(1)

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ANSWER

Engine failure or damage limited to a single engine, including its cowlings or accessories.

Reg. 996/2010 Art. 2(1)(b)

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ANSWER

No. Damage limited to a propeller, wing tip, tyre or brake does not make an accident on its own.

Reg. 996/2010 Art. 2(1)(b)

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QUESTION

Does a fatal or serious injury still count if the damage is excluded?

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QUESTION

How many days after the accident does death make an injury fatal?

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QUESTION

When is a hospital stay a serious injury?

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QUESTION

Which burns make an injury serious?

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ANSWER

Death within 30 days of the date of the accident makes the injury fatal.

Reg. 996/2010 Art. 2(5)

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ANSWER

Yes. The event is still an accident under the injury condition.

Reg. 996/2010 Art. 2(1)(b)

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ANSWER

Second- or third-degree burns, or any burns affecting more than 5 % of the body surface.

Reg. 996/2010 Art. 2(17)(e); Reg. 996/2010 Art. 2(17)

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ANSWER

When it lasts more than 48 hours and starts within 7 days of the injury.

Reg. 996/2010 Art. 2(17)(a); Reg. 996/2010 Art. 2(17)

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QUESTION

Is a simple fracture of a finger, toe or nose a serious injury?

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QUESTION

What makes an event a serious incident?

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QUESTION

Must a serious incident involve someone hurt or damage?

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QUESTION

Which question comes first when you classify an event?

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ANSWER

An incident whose circumstances show a high probability of an accident, in the same window.

Reg. 996/2010 Art. 2(1), 2(7), 2(16)

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ANSWER

No. A fracture of any bone is serious, except a simple fracture of a finger, toe or nose.

Reg. 996/2010 Art. 2(17)

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ANSWER

Is it linked to operating the aircraft and inside the boarding-to-disembarkation window?

Reg. 996/2010 Art. 2(1), 2(7), 2(16)

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ANSWER

No. Nobody needs to be hurt and nothing needs to be damaged. The outcome sets the category, not the danger felt.

Reg. 996/2010 Art. 2(1), 2(7), 2(16)

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QUESTION

What is an event with a missing aircraft classified as?

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QUESTION

Who must notify the SIA after an accident or serious incident?

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QUESTION

What do you do with the wreckage until the investigators arrive?

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QUESTION

What must you preserve after an accident or serious incident?

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ANSWER

Every person involved, without delay. No number of hours is set for it.

Reg. 996/2010 Art. 9(1)

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ANSWER

An accident. A missing or inaccessible aircraft is one of the three accident conditions.

Reg. 996/2010 Art. 2(1), 2(7), 2(16)

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ANSWER

Documents, material and recordings. Recordings of conversations and alarms must not be erased after the flight.

Reg. 996/2010 Art. 13(3)

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ANSWER

Leave the site and the wreckage alone. Exceptions: safety, help for injured people, or express permission.

Reg. 996/2010 Art. 13(2)

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QUESTION

Who reports an occurrence within 72 hours?

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QUESTION

How long does the pilot in command have to report an occurrence?

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QUESTION

When does the 72-hour occurrence clock start?

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QUESTION

When can the SIA decide not to investigate?

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ANSWER

72 hours after becoming aware of it, unless exceptional circumstances prevent it.

Reg. 376/2014 Art. 4(7)

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ANSWER

The pilot in command. If unable, the next crew member in the chain of command reports.

Reg. 376/2014 Art. 4(7); Reg. 376/2014 Art. 4(6)

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ANSWER

For a manned aircraft of 2 250 kg MTOM or less with no fatal or serious injury. Notification still applies.

Reg. 996/2010 Art. 5(5); Reg. 996/2010 Art. 5(5); Art. 9(1)

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ANSWER

At awareness of the occurrence, not when the event happened.

Reg. 376/2014 Art. 4(7)

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QUESTION

Which State investigates an accident or serious incident in its territory?

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QUESTION

Is the ICAO duty to investigate a serious incident the same as the EU rule?

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QUESTION

What is the target for publishing the final investigation report?

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QUESTION

What does the SIA publish if the final report is not out within 12 months?

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ANSWER

No. ICAO makes it a Standard only above 2 250 kg maximum mass. At or below that, it is a Recommendation.

Annex 13, 5.1.2; Annex 13, 5.1, 5.1.1, 5.1.2; Reg. 996/2010 Art. 5(1), 5(5)

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ANSWER

The State of Occurrence, where the accident or serious incident happens.

Reg. 996/2010 Art. 5(1)–(2)

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ANSWER

An interim statement, at least at each anniversary of the event.

Reg. 996/2010 Art. 16(7); Reg. 996/2010 Art. 16(6)–(7)

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ANSWER

As soon as possible and, if possible, within 12 months of the event.

Reg. 996/2010 Art. 16(6); Reg. 996/2010 Art. 16(6)–(7)

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QUESTION

How long does the addressee have to reply to a safety recommendation?

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QUESTION

How long does the SIA have to judge a recommendation reply?

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QUESTION

What is a safety recommendation?

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QUESTION

Are actions that match your experience and training punished under just culture?

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ANSWER

60 days, to say whether the reply is adequate.

Reg. 996/2010 Art. 18(2); Reg. 996/2010 Art. 17(1)–(2); Art. 18(1)–(2)

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ANSWER

90 days, to say what action is taken or planned.

Reg. 996/2010 Art. 18(1); Reg. 996/2010 Art. 17(1)–(2); Art. 18(1)–(2)

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ANSWER

No. Front-line operators are not punished for them, but gross negligence and wilful violations are not tolerated.

Reg. 376/2014 Art. 2(12)

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ANSWER

An SIA proposal to prevent accidents and incidents. It creates no presumption of blame.

Reg. 996/2010 Art. 2(4); Art. 17(3)

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QUESTION

Does just culture protect wilful misconduct?

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QUESTION

Can an occurrence report be used against the reporter?

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QUESTION

Does an accident or serious incident need one report or two?

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ANSWER

No. In disciplinary or administrative proceedings, report contents must not be used against the reporter.

Reg. 376/2014 Art. 16(6), (7), (9)

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ANSWER

No. The protection does not cover wilful misconduct or a manifest, severe disregard of an obvious risk.

Reg. 376/2014 Art. 16(8), 16(10)

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ANSWER

Two duties: notify the SIA without delay, and report the occurrence within 72 hours.

Reg. 376/2014 Art. 4(7); Reg. 996/2010 Art. 9(1); Reg. 376/2014 Art. 2(7), 4(7)

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