Civil Aviation Authority

CAR-13

Civil Aviation Regulation

Aircraft Accident & Incident Investigation & Reporting Procedures

Effective: 1st October 2024

Approved by: H.E. Eng. Naif Ali Hamed Al Abri
(President of Civil Aviation Authority)

CORRIGENDUM OF AMENDMENTS

No.	Rev	Description
01	03	This CAR has been amended to: • incorporated the Amendment 16 to Annex 13; • reflect the establishment of the Oman Transport Safety Bureau; and • editorial changes throughout.
02	04	This CAR has been amended within the areas pertaining to: • Adoption of Amendment 17 to Annex 13. • Adoption of Amendment 18 to Annex 13. • OLF amendments in order to cover EFOD. • Some text added in order to reflect some of the related PQs. • Amendments of the names of entities in accordance to the Royal Decree. • Amendments to reflect CAA/OTSB MOC.
03	05	This CAR has been amended within the areas pertaining to: • Glossary of Terms or Abbreviations; • CAR 13.005 Definitions; • CAR 13.025 Protection of Evidence, Custody, and Removal of Aircraft; • CAR 13.030 Notification; • CAR 13.085 Organization and conduct of the Investigation; • CAR 13.090 Investigation Committee (Team); • CAR 13.115 Obstruction of Investigations; • CAR 13.120 Form and Conduct of investigations; • CAR 13.140 Coordination with other authorities; • CAR 13.145 Informing Security or Judicial Authorities; • CAR 13.155 Re-opening an investigation; • CAR 13.200 Consultation; • APPENDIX A Format of the Final Report; • Notes; and • Editorial changes.
04	06	This CAR has been amended within the areas pertaining to Adoption of Amendment 19 to Annex 13, a few necessary corrections, editorial changes and formatting. • Glossary of Terms or Abbreviations; • Foreword • CAR 13.001 Applicability • CAR 13.005 Definitions • CAR 13.040 Notify & Report of Accident, Serious Incident, Incident & Overdue Aircraft • CAR 13.060 Accidents or Incidents in the Territory of a Non-Contracting State or outside the Territory of any State • CAR 13.065 Operator Responsibilities • CAR 13.070 Instituting and Conducting of Investigations as State of Occurrence • CAR 13.080 Accidents or Incidents outside the Territory of any State • CAR 13.085 Organization and Conduct of the Investigation • CAR 13.150 Disclosure of Records • CAR 13.155 Re-opening of Investigations • CAR 13.165 Participation in the Investigation • CAR 13.225 Action on Safety Recommendations • APPENDIX A – FORMAT OF THE FINAL REPORT • APPENDIX B – PROTECTION OF ACCIDENT AND INCIDENT INVESTIGATION RECORDS

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GLOSSARY OF TERMS OR ABBREVIATIONS

The following terms or acronyms may be used in any manual or document published by OTSB. Reproduction in part or whole is allowed without prior approval. The Document Control Office reserves the rights to include such a listing in any OTSB manual or document prior to publishing.

ACAS	Airborne Collision Avoidance System
ACCID	Accident
AD	Airworthiness Directive
ADREP	Accident/Incident Reporting System
AFTN	Aeronautical Fixed Telecommunication Network
AIRPROX	Aircraft Proximity
A/C	Aircraft
AMC	Acceptable Means of Compliance
AOC	Air Operator Certificate
ASMI	Airspace Management Incident
ATC	Air Traffic Control
ATS	Air Traffic Service
CAA	Civil Aviation Authority (of Oman)
CAR	Civil Aviation Regulation
CCAA	Contracting Civil Aviation Authority
COM	Communications/Equipment
DOTSB	Director of Oman Transport Safety Bureau
EFOD	Electronic File of Differences
FIC	Flight Information Centre
FIS	Flight Information Service
FOD	Foreign Object Damage
HAAIS	Head of Air Accident Investigation Section
IATA	International Air Transport Association
ICAO	International Civil Aviation Organization
IIC	Investigator-in-charge
INCID	Incident
ISA	International Standard Atmosphere
LOTC	Loss of Total Control
LSALT	Lowest Safe Altitude
LVP	Low Visibility Procedures
OLF	Online Framework
MTCIT	Ministry of Transport, Communication and Information Technology
MOR	Mandatory Occurrence Report
NOTAM	Notice to Airmen
NPA	Notice of Proposed Amendment
OAP	Oman Airports
OTSB	Oman Transport Safety Bureau
PL	Policy Lead
RA	Resolution Advisory event
RAIO	Regional Accident and Incident Investigation Organization
RCC	Rescue Co-ordination Centre
RESA	Runway End Safety Area
RNAV	Area Navigation
RPA	Remotely Piloted Aircraft
SAR	Search and Rescue
SINCID	Serious Incident

SRA	Surveillance Radar Approach
SSP	State Safety Program
SRGC	Safety Recommendation of Global Concern
SSR	Secondary Surveillance Radar
SUA	Special User Airspace
TCAS	Traffic Alert and Collision Avoidance System
UTC	Universal Time Coordinated
VRS	Voluntary Reporting Scheme
WX	Weather

FOREWORD

(a) CAR-13 has been issued by the Civil Aviation Authority (CAA) of Oman (hereinafter called the AUTHORITY) under the provisions of the Civil Aviation Law of the Sultanate of Oman.

(b) ICAO Annex 13 provides the basic structure of CAR 13, but with additional sub-divisions where considered appropriate and in context with the regulations governing the overall role of the Oman Transport Safety Bureau (OTSB) who hold the primary function of aircraft accident and incident investigation.

(c) CAR-13 prescribes the requirements for activities following accidents and incidents wherever they have occurred.

(d) Amendments to the text in CAR-13 are issued as amendment pages containing revised paragraphs.

(e) New, amended and corrected text will be enclosed within brackets until a subsequent 'Change' is issued.

(f) The editing practices used in this document are as follows:

(g) 'Shall' is used to indicate a mandatory requirement and may appear in CARs.

(h) 'Should' is used to indicate a recommendation.

(i) 'May' is used to indicate discretion by the Authority, the industry or the applicant, as appropriate.

(j) 'Will' indicates a mandatory requirement and is used to advise of action incumbent on the Authority.

(k) *Note: The use of the male gender implies the female gender and vice versa.*

(l) *Note: All Recommendations should be considered as guidance.*

(m) *Note: All Notes may be considered as guidance.*

SUBPART A – GENERAL

CAR 13.001 Applicability

(a) Unless otherwise stated, these Regulations apply to activities following accidents and incidents involving civil aircraft wherever they occurred and apply:
   (1) to occurrences arising out of or in the course of air navigation, which occur to civil aircraft in or over the Sultanate of Oman; or
   (2) to such occurrences, which occur elsewhere to civil aircraft registered in the Sultanate of Oman.
   (3) Manned aircraft; or
   (4) as of 26 November 2026, remotely piloted aircraft (RPA) certificated in accordance with Annex 8 — Airworthiness of Aircraft and/or operated under an operator authorization in accordance with Annex 6 — Operation of Aircraft, Part IV — International Operations — Remotely Piloted Aircraft Systems.

(b) Leased and Chartered Aircraft: In these Regulations the specifications concerning the State of the Operator apply only when the aircraft is leased, chartered or interchanged and when that State is not the State of Registry and if it discharges in respect of these Regulations, in part or in whole, the functions and obligations of the State of Registry.

(c) The Civil Aviation Authority (CAA): CAA is empowered by Civil Aviation Law of Oman as the Competent Authority for the development and promulgation of Regulations pertaining to regulation of aircraft operations or activities associated with the movement of aircraft within Oman.

(d) This Regulation shall prescribe the role and position of the Ministry of Transport and Communications and Information Technology - Oman Transport Safety Bureau (OTSB) in the event of aircraft accident/incident within the airspace of the Sultanate, or when an Omani registered aircraft experiences an accident or incident outside the Sultanate of Oman.
   (1) Designation of Investigator-in-charge (IIC);
   (2) Designation and composition of the Aircraft Accident/Incident Team;
   (3) Initial notification, investigation and final reporting of aircraft accidents and incidents and other occurrences in the operation of aircraft, when they involve civil aircraft of the Sultanate of Oman registration and foreign civil aircraft within the airspace & territory of the Sultanate of Oman.
   (4) Entitlement and participation of accredited representatives;
   (5) Air Operators consideration regarding incident/accident;
   (6) Accident prevention measures.

Note. — The regulations in this CAR are not intended to preclude a State from instituting an investigation in other circumstances where it expects to draw safety lessons for the operation of manned and unmanned aircraft (remotely piloted aircraft are a subset of unmanned aircraft).

CAR 13.005 Definitions

For the purpose of CAR-13 the following definitions shall apply:

"Accident" An occurrence associated with the operation of an aircraft which, in the case of a manned aircraft, takes place between the time any person boards the aircraft with the intention of flight until such time as all such persons have disembarked, or in the case of an unmanned aircraft, takes place between the time the aircraft is ready to move with the purpose of flight until such time as it comes to rest at the end of the flight and the primary propulsion system is shut down, in which:

(a) a person is fatally or seriously injured as a result of:
  (1) being in the aircraft, or
  (2) direct contact with any part of the aircraft, including parts which have become detached from the aircraft, or
  (3) direct exposure to jet blast,
  except when the injuries are from natural causes, self- inflicted or inflicted by other persons, or when the injuries are to stowaways hiding outside the areas normally available to the passengers and crew; or

(b) the aircraft sustains damage or structural failure which:
  (1) adversely affects the structural strength, performance or flight characteristics of the aircraft, and
  (2) would normally require major repair or replacement of the affected component, except for engine failure or damage, when the damage is limited to a single engine, (including its cowlings or accessories), to propellers, wing tips, antennas, probes, vanes,
  tires, brakes, wheels, fairings, panels , landing gear doors, windscreens, the aircraft skin
  (such as small dents or puncture holes), or for minor damages to main rotor blades, tail rotor blades, landing gear, and those resulting from hail or bird strike (including holes in the radome); or

(c) the aircraft is missing or is completely inaccessible.

Note 1. — For statistical uniformity only, an injury resulting in death within thirty days of the date of the accident is classified, by ICAO, as a fatal injury.

Note 2. — An aircraft is considered to be missing when the official search has been terminated and the wreckage has not been located.

Note 3. — The type of unmanned aircraft system to be investigated is addressed in Note 3 to CAR13.070.

Note 4. — Guidance for the determination of aircraft damage can be found in Appendix F of CAR13.

"Accident investigation authority" The authority designated by a State as responsible for aircraft accident and incident investigations within the context of Annex 13 to the Convention on International Civil Aviation.

"Accredited representative" means a person designated by a State, on the basis of his or her qualifications, for the purpose of participating in an investigation conducted by another State. The accredited representative would normally be from the State`s accident investigation authority.

"Adviser" is a person appointed by a State, on the basis of his or her qualification, for the purpose of assisting its accredited representative in an investigation.

"Aircraft" is any machine that can derive support in the atmosphere from the reaction of the air other than the reactions of the air against the earth's surface.

"Authorization "means the powers vested upon the OTSB through civil laws and regulations.

"Causes" are actions, omissions, events, conditions, or a combination thereof, which led to the accident or incident. The identification of causes does not imply the assignment of fault or the determination of administrative, civil or criminal liability.

"Certified Aerodrome" an aerodrome whose operator has been granted an aerodrome certificate.

"Chicago Convention", signed at Chicago on 7 December 1944. Also known as Convention on International Aviation

"Civil Aircraft" means any aircraft registered in an ICAO Contracting State.

"Civil Aviation Authority" an authority empowered under the Civil Aviation Law of Oman to provide surveillance and regulatory oversight of aviation activities within Oman.

"Contracting State" means any State which is party to the Convention on International Civil Aviation.

"Contributing factors" Actions, omissions, events, conditions, or a combination thereof, which, if eliminated, avoided or absent, would have reduced the probability of the accident or incident occurring, or mitigated the severity of the consequences of the accident or incident. The identification of contributing factors does not imply the assignment of fault or the determination of administrative, civil or criminal liability.

"C2 Link.: The data link between the remotely piloted aircraft and the remote pilot station for the purposes of managing the flight.

"Director of Oman Transport Safety Bureau" is the head of the accident investigation authority responsible to institute aircraft accident and serious incident investigations and has the final authority on investigations.

"Fatal injury" means any injury which results in death within 30 days of the date of the accident.

"Flight recorder" is any type of recorder installed in the aircraft for the purpose of complementing accident/incident investigation.

"Head of Air Accident Investigation" responsible to document and implement the accident and serious incident and incidents investigation processes.

"Incident" means an occurrence other than an accident, associated with the operation of an aircraft, which affects or could affect the safety of operation.

Note. — The types of incidents which are of main interest to OTSB for accident prevention studies are listed in Appendix D of this regulation.

"Investigation" a process conducted for the purpose of accident prevention which includes the gathering and analysis of information, the drawing of conclusion, including the determination of causes and/or contributing factors, when appropriate, the making of safety recommendations.

"Investigation Team" Appointed by the Oman Transport Safety Bureau (OTSB) and empowered to conduct an aircraft accident/incident investigation under the control of the investigator-in-charge.

"Investigator" is a person charged, on the basis of his or her qualifications, with the responsibility to participate in the conduct and control of an investigation.

"Investigator-in-charge (IIC)" A person charged, on the basis of his or her qualifications, with the responsibility for the organization, conduct and control of an investigation.

Note: Nothing in the above definition is intended to preclude the functions of an investigator-in-charge being assigned to a commission or other body.

"Landing Area" that part of a movement area intended for the landing or take-off of aircraft.

"Maximum mass" Maximum certificated take-off mass.

"Occurrence" is an accident, serious incident or incident or any unsafe situation, *associated with the operation or airworthiness* of an aircraft, or any other situation or condition that the Investigation Authority has reasonable grounds to believe could, if left unattended, induce an accident, serious incident, incident, or could endanger an aircraft, its occupant(s), or any other person.
For the purpose of the OTSB, *associated with the airworthiness of an aircraft*¸ means damage caused to an aircraft by a maintenance or inspection activity during aircraft line or base maintenance which cause structural damage that may adversely affect the structural strength, performance, or flight characteristics. This includes an occurrence that happens during aircraft maintenance that is being accomplished in another State.

"Operator" The person, organization or enterprise engaged in or offering to engage in an aircraft operation.
Note. — In the context of remotely piloted aircraft, an aircraft operation refers to the operation of an RPAS.

"Oman Transport Safety Bureau (OTSB)" An independent authority within the Ministry of Transport, Communications and Information Technology empowered to investigate all accidents, serious incidents, incidents, any other such occurrences that take place in the land, sea and air areas of transportation and operations of the Sultanate of Oman.

"Preliminary Report" The communication used for the prompt dissemination of data obtained during the early stages of the investigation.

"Reportable Occurrence" is an occurrence that is classified as an accident, serious incident or incident or any unsafe situation, that falls under a criterion that requires urgent notification.

"Remote Pilot Station (RPS)".: The component of the remotely piloted aircraft system containing the equipment used to pilot the remotely piloted aircraft.

"Remotely Piloted Aircraft (RPA)".: An unmanned aircraft which is piloted from a remote pilot station.

Remotely piloted aircraft system (RPAS). A remotely piloted aircraft, its associated remote pilot station(s), the required C2 Link(s) and any other components as specified in the type design.

"Safety recommendation" A proposal of an accident investigation authority based on information derived from an investigation, made with the intention of preventing accidents or incidents and which in no case has the purpose of creating a presumption of blame or liability for an accident or incident. In addition to safety recommendations arising from accident and incident investigations, safety recommendations may result from diverse sources, including safety studies.

"Safety recommendation of global concern (SRGC)" a safety recommendation regarding a systematic deficiency having a probability of recurrence with significant consequences at a global level and requiring timely action to improve safety.
Note. — The Manual of Aircraft Accident and Incident Investigation (Doc 9756), Part IV — Reporting contains the criteria for a recommendation to be classified as an SRGC.

"Serious incident" is an incident involving circumstances indicating that there was a high probability of an accident and associated with the operation of an aircraft which, in the case of a manned aircraft, takes place between the time any person boards the aircraft with the intention of flight until such time as all such persons have disembarked, or in the case of an unmanned aircraft, takes place between the time the aircraft is ready to move with the purpose of flight until such time as it comes to rest at the end of the flight and the primary propulsion system is shut down.

"Serious injury" means an injury, which is sustained by a person in an accident and which:

(1) Requires hospitalization for more than 48 hours, commencing within 7 days from the date the injury was received; or
(2) Involves lacerations which cause severe hemorrhage, nerve, muscle or tendon damage; or
(3) Results in a fracture of any bone (except simple fractures of fingers, toes, or nose); or
(4) Involves second or third degree burns, or any burns affecting more than 5 percent of the body surface; or
(5) Involves injury to any internal organ; or
(6) Involves verified exposure to infectious substances or injurious radiation.

"State of Design" is the State having jurisdiction over the organization responsible for the type design.

"State of Manufacture": The State having jurisdiction over the organization responsible for the final assembly of the aircraft, remote pilot station, engine or propeller

"State of Occurrence" is the State in the territory of which an accident or incident occurs.

"State of the Operator" is the State in which the operators principal place of business is located or, if there is no such place of business, the operator's permanent residence.

"State of Registry" is the State on whose register the aircraft is entered.

Note: In the case of the registration of aircraft of an international operating agency on other than a national basis, the States constituting the agency are jointly and severally bound to assume the obligations which, under the Convention on International Civil Aviation, attach to a State of Registry. See, in this regard, the Council Resolution of 14 December 1967 on Nationality and Registration of Aircraft Operated by International Operating Agencies which can be found in Policy and Guidance Material on the Economic Regulation of International Air Transport (Doc 9587).

"State Safety Program (SSP)" An integrated set of regulations and activities aimed at improving safety

"Substantial Damage" means damage or failure, which adversely affects the structural strength, performance, or flight characteristics of the aircraft, and which would normally require major repair or replacement of the affected component. For the purposes of this Section, the following conditions are not considered "substantial damage":

(1) for multi-engine aircraft: engine failure or damage limited to an engine if only one engine fails or is damaged,
(2) bent fairings or cowling, dented skin, small punctured holes in the skin or fabric,
(3) ground damage to rotor or propeller blades, and
(4) damage to landing gear, wheels, tires, flaps, engine accessories, brakes, or wingtips.

"Team" means the body established to investigate the accident or incident (see Investigation Team)

"Voluntary Reporting Scheme or **VRS"** means the voluntary reporting scheme established under sub-regulation CAR-13.400 for reporting safety hazards and incidents.

SUBPART B — PROCEDURES

CAR 13.010 General

Guidance material relating to the rights and obligations of the State of the Operator in respect of accidents and incidents involving leased, chartered or interchanged aircraft is provided in Appendix C.

CAR 13.011 Objective of the Investigation

The sole objective of the investigation of an accident or incident shall be the prevention of accidents and incidents. It is not the purpose of this activity to apportion blame or liability.

CAR 13.015 Independence of Investigations

The Sultanate of Oman has established an accident investigation authority that is independent from the State aviation authorities and other entities that could interfere with the conduct or objectivity of an investigation.

CAR 13.020 Delegation of Authority

The Sultanate of Oman delegates the role and responsibilities pertaining to the investigation of aircraft accidents and incidents within the Sultanate of Oman or involving aircraft registered within the State or Oman is the registered State of the Operator. This authority shall be known as the Oman Transport Safety Bureau (OTSB). OTSB has been delegated to develop and recommend regulations pertaining to aircraft accident and incident investigations.

CAR 13.025 Protection of Evidence, Custody and Removal of Aircraft

(a) Responsibility of the OTSB:

Sultanate of Oman, as the State of Occurrence, shall as soon as possible take all reasonable measures to protect the evidence and to maintain safe custody of the aircraft and its contents and all air traffic services (ATS) communication recordings and documents associated with the flight for such a period as may be necessary for the purposes of an investigation. Protection of evidence shall include the preservation, by photographic or other means of any evidence, which might be removed, effaced, lost or destroyed. Safe custody shall include protection against further damage, access by unauthorized persons, pilfering and deterioration.

Note 1: Control over the wreckage is dealt with in CAR 13.100.

Note 2: The protection of flight recorder evidence requires that the recovery and handling of the recorder and its recordings be assigned to qualified personnel.

(b)Protection of Evidence.

(1) When a reportable accident occurs in or over the Sultanate of Oman, no person other than an authorized person shall have access to the aircraft involved in the accident and neither the aircraft nor its contents shall, except under the authority of the OTSB, be removed or otherwise interfered with.

(2) The aircraft may be removed or interfered with so far as may be necessary for the purpose of:
   (i) rescue and firefighting;
   (ii) extricating persons or animals;

(iii) removing any mail, valuables or dangerous goods carried by the aircraft;
(iv) preventing destruction by fire or other cause;
(v) preventing any danger or obstruction to the public, air navigation or any other transport;
(vi) removing any other property from the aircraft under the supervision of an Investigator or a person delegated by OTSB with the agreement of a Police Officer.

(3) After coming into the custody of the OTSB, the movement of the aircraft or any part of its wreckage or contents, or any other evidence, shall only take place under the supervision of the investigator-in-charge, or his delegate.

(4) The OTSB investigator or authorized person may order the owner, operator or hirer of the aircraft, or other person on whose behalf the Pilot was in command of the aircraft, as the case maybe, to remove it to such place as he shall indicate.

(5) Should the aircraft be wrecked on water, the aircraft or any of its contents may be removed to such extent as may be necessary for bringing it or them to a place of safety.

(6) The owner or the operator of an aircraft involved in an accident or incident for which notification shall be given is responsible for preserving to the extent possible records, including all recording mediums of flight, maintenance, and voice recorders pertaining to the operation and maintenance of the aircraft and to the airmen, until the OTSB takes custody thereof and a release is granted.

(7) The OTSB investigator or authorized person may, in the absence of the owner, operator or hirer of the aircraft or other person referred to therein or in the event of the non-compliance with the order given by him under (6) above, remove the aircraft and in such case, all expenses incurred in removing the aircraft shall be paid by and recoverable from the owner, operator or hirer of the aircraft, or other person on whose behalf the Pilot was in command of the aircraft.

(8) Where it is necessary to move aircraft wreckage or cargo, sketches, descriptive notes, and photographs shall be made, if possible, of the original position and condition of the wreckage and any significant impact marks.

(9) The OTSB investigator or an authorized person shall not be liable for any loss or damage occurring to any aircraft during its removal under these regulations or in the course of any subsequent investigation or otherwise.

(10) The operator, owner or hirer of an aircraft involved in an accident or incident shall retain all records, reports, internal documents, and memoranda dealing with the accident or incident, until authorized by the OTSB to the contrary.

(c) Requests from State of Registry/Operator/Design or Manufacturer.

If a request is received from the State of Registry, the State of the Operator, the State of Design or the State of Manufacturer that the aircraft, its contents, any other evidence remain undisturbed pending inspection by an accredited representative of the requesting State, the OTSB as the State of Occurrence, shall take all necessary steps to comply with such request, so far as this is reasonably practicable and compatible with the proper conduct of the investigation; provided that the aircraft may be moved to the extent necessary to extricate persons, animals, mail and valuables, to prevent destruction by fire or other causes, or to eliminate any danger or obstruction to air navigation, to other transport or to the public, and provided that it does not result in undue delay in returning the aircraft to service where this is practicable.

(d) Release from Custody.

Subject to the provisions of paragraphs (b) and (c) above, the OTSB as the State of Occurrence, shall release custody of the aircraft, its contents or any parts thereof as soon as they are no longer required in the investigation, to any person or persons duly designated by the State of Registry or the State of the Operator, as applicable. For this purpose, the OTSB shall facilitate access to the aircraft, its contents, or any parts

thereof, provided that, if the aircraft, its contents or any parts thereof, lie in a area within which the OTSB finds it impracticable to grant such access, it shall itself effect removal to a point where access can be given.

CAR 13.030 Notification

Appendix H provides a notification and reporting checklist. A list of addresses of Accident Investigation Authorities can be found on the ICAO Accident Investigation website: https://www.icao.int/safety/AIA/Pages/default.aspx.

CAR 13.031 Accident, Serious Incident and Incident Notification

The initial notification regarding accident, serious incident and incident shall be done through any of the following:

(a) The pilot-of the aircraft involved at the time of the accident, or if they be killed or incapacitated, then the operator of the aircraft;
(b) In the case of an accident occurring on or adjacent to a Sultanate of Oman airport, the airport authority;
(c) Nearest Air Traffic Control unit;
(d) Rescue Coordination Centre (RCC);
(e) Directly to the Oman Transport Safety Bureau (OTSB);
(f) Directly through the Civil Aviation Authority (CAA); or
(g) Through local or administrative units of the government of Oman (Wali), or security agencies.

CAR 13.035 Reportable Occurrences

The OTSB shall be notified when:

(a) An aircraft accident, serious incident or any of the incidents, as listed below, occurs;
  (1) Flight control system malfunction or failure.
  (2) Inability of any required flight crewmember to perform his normal flight duties because of injury or illness.
  (3) Failure of structural components of a turbine engine excluding compressor and turbine blades and vanes.
  (4) In-flight fire.
  (5) Aircraft collide in flight.
  (6) For large multi-engine aircraft (more than 5700 kg maximum certificated take-off mass):
    (i) in-flight failure of electrical systems which requires the sustained use of an emergency bus powered by a back-up source such as a battery, auxiliary power unit, or air-driven generator to retain flight control or essential instruments;
    (ii) in-flight failure of hydraulic systems that result in sustained reliance on the sole remaining hydraulic or mechanical system for movement of flight control surfaces;
    (iii) sustained loss of the power or thrust produced by two or more engines;
    (iv) evacuation of an aircraft in which an emergency egress system is utilized.
  (7) Incidents involving:
    (i) the transport of dangerous goods;
    (ii) breaches of security;
    (iii) the carriage of important persons;
    (iv) a serious maintenance event and/or failure;

(v) aircraft departure of taxiways/runways;
(vi) taxi accidents/collisions;
(vii) flight crew incapacitation;
(viii) decompression resulting in emergency descent;
(ix) ATC incidents involving near collisions;
(x) serious wind-shear phenomenon;
(xi) passenger offences affecting safety; and
(xii) any other factor affecting or derogating safety.
(xiii) an aircraft is overdue and is believed to have been involved in an incident.

Note: Further examples of Reportable Incidents can be found in Appendix D of this regulation

CAR 13.040 Notify & Report of Accident, Serious Incident, Incident & Overdue Aircraft

(a) Reports

(1) The operator of an aircraft shall notify and report an accident, serious incident and incident:

(i) immediately utilizing **OTSB Hot-line +968 72111135 and** OTSB email: **OTSB@mtcit.gov.om** ;

(ii) followed by a report to OTSB through Notification of Accident, Serious Incident & Incident (Appendix D), within 72 hours or after the 7th day if an overdue aircraft is still missing.

(2) A report on an incident for which notification is required by, Appendix D Reportable Incidents, shall be filed within 72 hours of the occurrence of the incident utilizing OTSB Notification of Accident, Serious Incident & Incident (Appendix D) email: **OTSB@mtcit.gov.om** or operator equivalent.

(b) Crew Member Statement. Each crew member, if able at the time when the report is submitted, shall attach a statement setting forth the facts, conditions, and circumstances relating to the accident or incident as they appear to them. If the crew member is incapacitated, they shall submit the statement as soon as they are able.

(c) Where to file the Reports. The operator of an aircraft shall file any report required by this Section with the OTSB within the Sultanate of Oman.

CAR 13.045 Information to be given in Notification to OTSB

The required notification shall contain the following information, if available:

(a) Type, manufacturer, nationality and registration marks, and serial number of the aircraft;
(b) Name of owner, operator and hirer, if any, of the aircraft;
(c) Name of the pilot-in-command, and nationality of crew and passengers;
(d) Date and time (local time or UTC) of the accident or incident;
(e) Last point of departure and point of intended landing of the aircraft;
(f) Position of the aircraft with reference to some easily defined geographical point and latitude and longitude;
(g) Number of crew and passengers aboard, killed and seriously injured;
(h) Description of the accident or incident and the extent of damage to the aircraft so far as is known;
(i) Physical characteristics of the accident or incident area, as well as an indication of access difficulties or special requirements to reach the accident site;
(ii) Presence and description of dangerous goods on board the aircraft.

Specific Reports

Occurrences, for which specific notification and reporting methods shall be used, by a Pilot-in command or an Operator, are described below:

Air Traffic Incident

A Pilot-in command shall without delay notify the air traffic service unit concerned of the incident and shall inform them of his intention to submit a report to CAA and OTSB after the flight has ended, whenever an aircraft in flight has been endangered by a near collision with any other flying device, faulty air traffic procedure and failure of air traffic services facilities.

Airborne Collision Avoidance System Resolution Advisory

A Pilot-in command shall notify the air traffic service unit concerned and submit a report to the CAA and OTSB whenever an aircraft was maneuvered in response to an ACAS Resolution Advisory.

Bird Hazards and Strikes

A Pilot-in command shall immediately inform the local air traffic services unit whenever a potential bird hazard is observed or if a bird strike has occurred, that results in significant damage to the aircraft or the loss or malfunction of any essential service. The Pilot-in command or the Operator shall submit a written bird strike report after landing to the OTSB, CAA or ATS unit.

In-flight Emergencies with Dangerous Goods on Board

If an inflight emergency occurs and situations permits, a Pilot-in command shall inform the appropriate air traffic service (ATS) unit of any dangerous goods on board. After landing if the occurrence has been associated with the transport of dangerous goods, a Pilot-in command shall comply with the reporting requirements to the CAA and OTSB.

Unlawful Interference

Following an act of unlawful interference on board of aircraft, the Pilot-in command shall submit a report to the OTSB and CAA and any other relevant authority.

Encountering Potential Hazardous Conditions

A Pilot-in command shall notify to the appropriate air traffic services unit any irregularity in a ground or navigational facility, a meteorological phenomenon or a volcanic ash cloud if encountered during flight.

CAR 13.050 Responsibility of the OTSB as the State of Occurrence

(a) *Forwarding.*

Upon receipt of the notification concerning accident or serious incident or an incident in the Sultanate of Oman, the OTSB is responsible for initial organization of the aircraft accident/ incident investigation and shall notify the Minister and other concerned parties. The OTSB as the Independent Investigation Unit of the State of Occurrence shall forward a notification of an accident, serious incident or incident to be investigated within the context of this regulation with a minimum of delay and by the most suitable and quickest means available to:

(1) the State of Registry;
(2) the State of the Operator;
(3) the State of Design;
(4) the State of Manufacture; and

(5) the International Civil Aviation Organization (ICAO), when the aircraft involved is of a maximum mass of over 2,250 kg or is a turbojet-powered aeroplane.

(b) However, when the Sultanate of Oman is not aware of a serious incident or an incident to be investigated, the State of Registry or the State of the Operator, as appropriate, shall forward a notification of such an incident to the State of Design, the State of Manufacture and the Sultanate of Oman.

Note: — Telephone, facsimile, e-mail or the Aeronautical Fixed Telecommunication Network (AFTN) will in most cases constitute "the most suitable and quickest means available". More than one means of communication may be appropriate.

(c) *Format and Contents of Notification*. The notification shall be in plain language and contain as much of the following information as is readily available, but its dispatch shall not be delayed due to lack of complete information:

(1) For accident the identifying abbreviation ACCID, serious incidents SINCID, incident INCID;
(2) Type, manufacturer, nationality, registration marks and serial number of the aircraft;
(3) Name of owner, operator and hirer, if any, of the aircraft;
(4) qualification of the Pilot-in-command, and nationality of crew and passengers;
(5) date and time (local time or UTC) of the accident or incident;
(6) last point of departure and point of intended landing of the aircraft;
(7) position of the aircraft with reference to some easily defined geographical point and latitude and longitude;
(8) number of crew and passengers; aboard, killed and seriously injured; others, killed and seriously injured;
(9) description of the accident or incident and the extent of damage to the aircraft so far as is known;
(10) an indication to what extent the investigation will be conducted or is proposed to be delegated by the State of Occurrence;
(11) physical characteristics of the accident or incident area, as well as an indication of access difficulties or special requirements to reach the site;
(12) identification of the originating authority and means to contact the investigator-in-charge and the accident investigation authority of the State of Occurrence at any time; and
(13) presence and description of dangerous goods on board the aircraft.

Language: The notification shall be prepared in English or Arabic, taking into account the language of the recipient(s), whenever it is possible to do so without causing undue delay.

(d) *Additional information.* As soon as possible to do so, the OTSB, as the State of Occurrence shall dispatch the details omitted from the notification as well as any other known relevant information.

CAR 13.055 Responsibility of the Contracting State as the State of Registry/ Operator/ Design and Manufacturer

The following applies when the other Contracting State is the State of Registry, State of Operator, State of Design and State of Manufacturer in case of an accident or incident of an aircraft.

(a) *Information – Participation*. The Contracting State, as the State of Registry, the State of the Operator or the State of Design and the State of Manufacture shall acknowledge receipt of the notification of an accident or incident.

(b) Upon receipt of the notification, the Contracting State, as the State of Registry, the State of the Operator, the State of Design and the State of Manufacture shall, as soon as possible, provide the State of Occurrence with any relevant information available to them regarding the aircraft and flight crew involved in the accident or incident. OTSB shall inform the State of Occurrence whether the Oman Transport Safety Bureau (OTSB) intends to appoint an accredited representative and if such an accredited representative is appointed, the name and contact details; as well as the expected date of arrival if the accredited representative will travel to the State of Occurrence.

Note 1.— In accordance with CAR-13.165(a), the State of Registry, the State of the Operator, the State of Design and the State of Manufacture have the right to appoint an accredited representative to participate in the investigation.

Note 2.— In accordance with CAR-13.165(e), the attention of the State of Registry, the State of the Operator, the State of Design and the State of Manufacture is drawn to their obligation to appoint an accredited representative when specifically requested to do so by the State conducting the investigation of an accident to an aircraft over 2 250 kg. Their attention is also drawn to the usefulness of their presence and participation in the investigation.

(c) *Forwarding.* When the State of Occurrence is not aware of an accident, serious incident or an incident, the OTSB as the State of Registry or the State of the Operator; as appropriate, shall forward a notification of such incident to the State of Design, the State of Manufacturer, and the State of Occurrence.

(d) Upon receipt of the notification, the State of the Operator shall, with a minimum of delay and by the most suitable and quickest means available, provide the State of Occurrence with details of dangerous goods on board the aircraft.

CAR 13.060 Accidents or Incidents in the Territory of a Non-Contracting State or outside the Territory of any State

(a) Responsibility of OTSB as State of Registry. When an accident or the serious incident or incident has occurred in the territory of a non-Contracting State which does not intend to conduct an investigation in accordance with Annex 13 to the Convention on International Civil Aviation, the OTSB, as the State of Registry, may institute the investigation of an accident or incident. In such cases the OTSB shall forward a notification in accordance with CAR-13.050(c), with a minimum of delay, and by the most suitable and quickest means available to;

(1) the State of the Operator;
(2) the State of Design;
(3) the State of Manufacturer; and
(4) the International Civil Aviation Organization (ICAO), when the aircraft involved is of a maximum mass of over 2,250 kg or is a turbojet-powered aeroplane.

Note 1: Telephone, facsimile, e-mail or the Aeronautical Fixed Telecommunication Network (AFTN) will in most cases constitute "the most suitable and quickest means available". More than one means of communication may be appropriate.

(b) Responsibility of Contracting State as State of the Operator, Design &Manufacturer

(1) Upon receipt of the notification the Contracting State as State of the Operator, Design and Manufacturer shall, upon request, provide the State of Registry with any relevant information available to them regarding the aircraft and flight crew involved in the accident or incident. The OTSB shall inform the State of Registry whether it intends to appoint an accredited

representative, and if such an accredited representative is appointed the name and contact details, as well as the expected date of arrival if the accredited representative will be present at the investigation.

Note 1: In accordance with CAR-13.165(a), the State of the Operator, the State of Design and the State of Manufacture have the right to appoint an accredited representative to participate in the investigation.

Note 2: In accordance with CAR-13.165(e), the attention of the State of the Operator, the State of Design and the State of Manufacture is drawn to their obligation to appoint an accredited representative when specifically requested to do so by the State conducting the investigation of an accident to an aircraft over 2 250 kg. Their attention is also drawn to the usefulness of their presence and participation in the investigation.

(2) Upon receipt of any notification, the OTSB, as the State of the Operator, shall with minimum of delay and by the most suitable and quickest means available, provide the State of Registry with details of any dangerous goods on-board the aircraft.

(3) The OTSB as the State of the Operator, the State of Design and the State of Manufacture shall acknowledge receipt of the notification of an accident or incident.

CAR 13.065 Operator Responsibilities

(a) The operator of an aircraft involved in an accident, serious incident or incident for which notification shall be given is responsible for preserving to the extent possible any aircraft wreckage, cargo, and mail aboard the aircraft and all records, including all recording data of flight, maintenance, and voice recorders, pertaining to the operation and maintenance of the aircraft and of the crew until the OTSB takes custody thereof or a release is granted.

(b) The operator of an aircraft involved in an accident, serious incident or incident shall retain all records, reports, internal documents, and memorandum dealing with the accident or incident, until authorized by the OTSB to the contrary.

The operator of any Omani registered aircraft, or any foreign aircraft shall immediately, and by the most expeditious means available, notify the OTSB (directly utilizing **OTSB Hot-line**

+968 72 1111 35, OTSB email: OTSB@mtcit.gov.om, and CAA / ATS unit who will in turn notify OTSB when an aircraft accident, serious incident or incident occurs.

(c) The operator of any civil aircraft or any foreign aircraft shall immediately and by the most expeditious means available notify OTSB utilizing the **OTSB Hot-line: +968 72111135** and email: **OTSB@mtcit.gov.om** of an accident, or serious incident, and within 72 hours after an incident, and CAA or an ATS unit who will notify the OTSB, as well if an overdue aircraft is still missing.

(d) Each crew member, if able, at the time the report is submitted, shall attach a statement setting forth the facts, conditions, and circumstances relating to the accident or incident as they appear to them. If the crew member is incapacitated, they shall submit the statement as soon as they are able.

(e) The operator of an aircraft shall file any report with the OTSB, CAA or the air traffic service unit (ATS) concerned.

(f) All reports, mandatory shall be filed directly to the OTSB for immediate evaluation.

SUBPART C – INVESTIGATION

CAR 13.070 Instituting and Conducting of Investigations as State of Occurrence

ACCIDENTS OR INCIDENTS IN THE SULTANATE OF OMAN

(a) The Sultanate of Oman, as the State of Occurrence shall institute an investigation into the circumstances of the accident and be responsible for the conduct of the investigation, but it may delegate the whole or any part of the conducting of such investigation to another State or a RAIO by mutual arrangement and consent. In any event, the State of Occurrence shall use every means to facilitate the investigation.

(b) The Sultanate of Oman, as the State of Occurrence shall institute an investigation into the circumstances of a serious incident. Such a State may delegate the whole or any part of the conducting of such investigation to another State or a RAIO by mutual arrangement and consent. In any event, the Sultanate of Oman as the State of Occurrence shall use every means to facilitate the investigation.

(c) The Sultanate of Oman, as State of Occurrence shall institute an investigation into the circumstances of a serious incident when the aircraft is of a maximum mass of over 2,250 kg. Such a State may delegate the whole or any part of the conducting of such investigation to another State or a RAIO by mutual arrangement and consent. In any event, the Sultanate of Oman as the State of Occurrence shall use every means to facilitate the investigation.

(d) If the Sultanate of Oman as the State of Occurrence does not institute and conduct an investigation, and does not delegate the investigation to another State or a RAIO, as set out above in (a) and (c), the State of Registry or, in the following order, the State of the Operator, the State of Design or the State of Manufacture is entitled to request in writing the State of Occurrence to delegate the conducting of such investigation. If the State of Occurrence gives express consent or does not reply to such a request within 30 days, the State making the request shall institute and conduct the investigation with such information as is available.

Note 1: The investigation of a serious incident does not exclude other already existing types of investigation of incidents (serious or not) by other organizations.

Note 2: When the whole investigation is delegated to another State or a RAIO, such a State is expected to be responsible for the conduct of the investigation, including the issuance of the Final Report and the ADREP reporting. When a part of the investigation is delegated, the State of Occurrence usually retains the responsibility for the conduct of the investigation.

Note 3: In the case of investigation of an unmanned aircraft system, the requirement in accordance with Subpart A CAR13.001 is only for remotely piloted aircraft certificated in accordance with Annex 8 — Airworthiness of Aircraft and / or operated under an operator authorization in accordance with Annex 6 — Operation of Aircraft, Part IV — International Operations — Remotely Piloted Aircraft Systems.

Note 4: In the case of serious incidents, the State of Occurrence may consider delegating the investigation to the State of Registry or the State of the Operator, in particular those involving occurrences in which it might be beneficial or more practical for one of these States to conduct the investigation.

Note 5: The delegation of an investigation does not absolve the State of Occurrence from its obligation under this Regulation.

Note 6: Point (d) above does not necessarily give the State making the request the right to access the accident site, wreckage or any other evidence or information situated within the territory of the State of Occurrence.

CAR 13.075 Accidents or Incidents in the Territory of a Non-Contracting State

When the accident or serious incident has occurred in the territory of a non-Contracting State, which does not intend to conduct an investigation in accordance with ICAO Annex 13, the OTSB, as the State of Registry or failing that the State of the Operator, the State of Design or the State of Manufacture shall endeavor to institute and conduct an investigation in co- operation with the State of Occurrence but, failing such co-operation, shall itself conduct an investigation with such information as is available.

CAR 13.080 Accidents or Incidents outside the Territory of any State

(a) When the location of the accident or the serious incident cannot definitely be established as being in the territory of any State, the OTSB, as the State of Registry shall institute and conduct an investigation of the accident or serious incident. However, it may delegate the whole or any part of the investigation to another State or a RAIO by mutual arrangement and consent.

(b) If the scene of an accident in international waters is nearest to the territory of the Sultanate of Oman, the OTSB shall provide all possible assistance as may be available, and shall, likewise, respond to requests by the State of Registry.

(c) If the State of Registry does not institute and conduct an investigation, and does not delegate the investigation to another State or a RAIO, as set out in paragraph (a), the State of the Operator or, in the following order, the State of Design, or the State of Manufacture is entitled to request in writing the State of Registry to delegate the conducting of such investigation. If the State of Registry gives express consent or does not reply to such a request within 30 days, the State making the request shall institute and conduct the investigation with such information as is available.

(d) If the State of Registry is a non-Contracting State which does not intend to conduct an investigation in accordance with Annex 13, the State of the Operator or, failing that, the State of Design or the State of Manufacture shall endeavor to institute and conduct an investigation. However, such a State may delegate the whole or any part of the investigation to another State by mutual arrangement and consent.
Note: Paragraph (c) does not absolve the State of Registry from its obligation under this regulation

CAR 13.085 Organization and Conduct of the Investigation

A. **Responsibility for Investigation**

(1) In conformity with the Convention on International Civil Aviation and the Civil Aviation Law (Oman), it is the obligation of the State in which an aircraft accident occurs (the State of Occurrence), to institute an inquiry into the circumstances of the accident. In the case of an accident, the Director of OTSB shall appoint an accident investigation Team and an Investigator-in-Charge.

(2) In the case of the serious incident or incident, the DOTSB shall appoint an Investigation Team with an Investigator-in-Charge or an Investigator to carry out the investigation.

(3) The final report is submitted by the Investigation Team or IIC for aircraft accident/incident investigation, shall be forwarded to the OTSB for review.

(4) In the case of an accident or incident in a foreign State involving civil aircraft of The Sultanate of Oman registry, where the foreign state is a signatory to Annex 13 of the Convention on International Civil Aviation, the State of Occurrence is responsible for the investigation, but The

Sultanate of Oman as a State of Registry, State of the Operator, State of Design or State of Manufacture shall be entitled to appoint an accredited representative to participate in the investigation. An appointment of an accredited representative is competence of the OTSB.

(5) If the accident or incident occurs in a foreign state not bound by the provisions of ICAO Annex 13 to the Convention on International Civil Aviation, which does not intend to conduct an investigation in accordance with ICAO Annex 13, the State of Registry or the State of Operator, State of Design or State of Manufacture in this instance the Sultanate of Oman, OTSB shall institute and conduct an investigation in cooperation with the State of Occurrence, but failing such cooperation, the OTSB shall itself conduct an investigation.

(6) When the location of the accident or the serious incident cannot definitely be established as being in the territory of any State, the Sultanate of Oman as the State of Registry or the State of the Operator, State of Design or State of Manufacture shall institute and conduct any necessary investigation of the accident or serious incident.

B. **Organization and Conduct of the Investigation**

(1) In accordance with the provisions of ICAO Annex 13 of the Convention on International Civil Aviation, OTSB shall have independence in the conduct of the investigation and have unrestricted authority over its conduct.

(2) The investigation shall include:
   (a) the gathering, recording and analysis of all relevant information on that accident or incident;
   (b) the protection of certain accident and incident investigation records in accordance with CAR-13.150;
   (c) timely, public dissemination of factual information, as appropriate
   (d) if appropriate, the issuance of safety recommendations;
   (e) if possible, the determination of the causes and/or contributing factors; and
   (f) the completion and release of the Final Report.

(3) Where feasible, the scene of the accident shall be visited, the wreckage examined and statements taken from witnesses. The extent of the investigation and the procedure to be followed in carrying out such an investigation shall be determined by OTSB, depending on the lessons it expects to draw from the investigation for the improvement of safety.

(4) The investigator-in-charge (IIC) and the members of the Team shall have their investigation field kits and essential personal items packed and ready, so that they can proceed without delay to the accident site.

Note: List of investigation field kit items can be found in Chapter2-OTSB Air Accident and Incident Investigation Manual, Chapter2.

(5) Any investigation conducted in accordance with the provisions of this Regulation shall be separate from any judicial or administrative proceedings to apportion blame or liability (CAR-13.150 paragraph (e)

Separation can be achieved by the investigation being conducted by State accident investigation authority experts, and any judicial or administrative proceedings being conducted by other appropriate experts. Coordination, as CAR13.140, between the two processes would likely be required at the accident site and in the gathering of factual information, with due consideration to the provisions in CAR13.150.

Recommendation No.1 — For accidents or incidents that draw heightened public attention, the accident investigation authority should publicly release relevant factual information within the early days of the investigation.

Note. — The provision of factual information in the early days of the investigation is intended to address the substantial public interest in the accident or incident and to help ensure that the information in the public domain is as accurate as possible. Guidance on accidents and incidents, that draw heightened public attention, and various formats and methods for the provision of information is contained in the Manual of Aircraft Accident and Incident Investigation (Doc 9756), Part II — Procedures and Checklists.

Recommendation No.2 — For accidents or incidents that draw heightened public attention, the accident investigation authority should publish a written Preliminary Report within thirty days of the accident or incident containing established factual information and indicating the progress of the investigation.

Note 1.— Guidance on the purpose, format, and content of the written Preliminary Report is contained in the Manual of Aircraft Accident and Incident Investigation (Doc 9756), Part IV — Reporting.

Note 2. — The Recommendations No.2 above does not intend to preclude the State conducting the investigation from consulting States participating in the investigation before publishing the written Preliminary Report.

Note 3.— A list of examples of accidents and incidents that draw heightened public attention is contained in the Manual of Aircraft Accident and Incident Investigation (Doc 9756), Part IV — Reporting.

(6) The OTSB shall develop documented policies and procedures detailing its accident investigation duties. These shall include organization and planning; investigation; and reporting.

(7) Any investigation conducted under the provisions of this Regulation shall have unrestricted access to all available evidential material without delay.

(8) OTSB shall ensure cooperation with the judicial authorities so that an investigation is not impeded by administrative or judicial investigations or proceedings.

Note. — Cooperation may be achieved by legislation, protocols, agreements or other arrangements, and may cover the following subjects: access to the site of the accident; preservation of and access to evidence; initial and ongoing debriefings of the status of each process; exchange of information; appropriate use of safety information; and resolution of conflicts.

CAR 13.090 Investigation Team

(a) For the purpose of carrying out an investigation into the circumstances and causes of accidents to which these Regulations apply, the Director of OTSB shall convene an Accident Investigation Team immediately to initiate the investigation. Composition and size of the investigation Team shall be determined by complexity of the aircraft accident or incident and by proposal of the IIC.

(b) When an accident, serious incident, or incident involves a civil and a military aircraft, the Accident Investigation Team shall be composed of investigators appointed by the Director of OTSB, those of the relevant Military Aviation Authority and the State Security. The investigation Team shall be under the direction of the IIC.

(c) The accident or incident Investigation Team is conducted by the IIC. The Investigation Team, if

necessary, shall establish working groups composed of experts, which are not necessarily members of the Team. The group Chairman is a member of the Team and charged to direct the group.

(d) The Investigation Team shall have ready access to sufficient funds for all types of investigations including major accidents, to enable investigation to be properly conducted. It is responsibility of the MTCIT and the OTSB to make those funds available.

(e) Aircraft accident or incident investigation is a specialized task, which shall be undertaken by qualified investigators. Within the OTSB appropriately qualified personnel shall be identified (list of subject matter experts) with skills appropriate for type of aircraft). The IIC and members of the Team shall have practical background in aviation acquired by working as professional pilots, aeronautical engineers, aircraft maintenance engineers or working in some specialized areas of aviation including operations, airworthiness, air traffic services, meteorology, human factors and organization, safety and quality management,

(f) The working groups, pertaining to complexity of accident, could include:

(1) Flight operations;
(2) Aircraft structure;
(3) Power plants;
(4) Aircraft systems;
(5) Flight recorders;
(6) Maintenance and aircraft records;
(7) Air traffic services;
(8) Meteorology;
(9) Human factors;
(10) For collection of witnesses reports;
(11) Search and rescue and firefighting service;
(12) Organizational, safety and quality management.

(g) The working groups produce group reports with conclusions concerning their investigation areas and forward it to the Investigation Team. Those group reports are part of the Team final report. After ending the investigation at the accident site, the accident/incident Investigation Team continues to work in sessions.

(h) Any member of the Investigation Team, who disagree with other Team members in regard with conclusion or other parts of a final report, has a right to express their disagreement.

(i) Any member of the Investigation Team, who expresses their disagreement, is obliged to explain in writing facts and arguments on which their opinion is based. That statement is an integral part of a Team work statement to the OTSB. After review, the final decision will be taken by DOTSB.

(j) The Investigation Team correspondence, working group reports, witnesses' reports, experts' reports, Team meetings minutes, sketches, photographs and other attachments, are stamped with a particular OTSB seal.

(k) The documents pertinent to the analysis of the accident or incident shall be included in the final report and other records and complete Investigation Team's documentation shall be kept within the OTSB archives.

(l) If, after the investigation has been closed, new and significant evidence becomes available in relation to the occurrence, the DOTSB shall re-open the investigation after reviewing the new and significant

evidence and agrees that it is indeed the new and significant evidence and it warrant the reopening of the investigation. In the event that OTSB did not institute an investigation, other States shall first obtain the consent of the OTSB before they institute any reopening of the investigation, where OTSB was the State of Occurrence and the investigation was delegated.

Note.1 - Any investigation reopened shall be subject to and conducted in accordance with the provisions of the Regulations relating to a formal investigation.

Note.2 - Where an aircraft which was considered missing following an official search is subsequently located, consideration may be given to reopening the investigation.

(m) The Sultanate of Oman shall take all reasonable measures to protect the evidence and to maintain safe custody of the aircraft and its contents for such a period as may be necessary for the purpose of an investigation. Protection of evidence shall include the preservation, by photographic or other means of any evidence, which might be removed, effaced, lost or destroyed. Safe custody shall include protection against further damage, access by unauthorized persons, pilfering and deterioration.

(n) Until the arrival of the IIC and the Investigation Team, the wreckage shall not be disturbed except in the extent necessary to rescue survivors and extrication of victims from aircraft wreckage. All disturbed parts of the wreckage shall be kept at the site of accident. The aircraft may be moved to the extent necessary in accordance with CAR-13.025(b), 2.

(o) Where it is necessary to move aircraft wreckage, mail or cargo, then sketches, descriptive notes and photographs shall be made, if possible, of the original positions and condition of the wreckage and any significant impact marks.

CAR 13.095 Investigator- in-charge – Designation (IIC)

(a) The DOTSB shall designate the IIC of the investigation and shall initiate the investigation immediately.

(b) The OTSB shall determine whether an investigation shall be carried out into any accident or incident to which any Regulations may apply and the form of the investigation.

(c) Without any prejudice to the powers of an investigator to seek such advice or assistance as he may deem necessary in making an investigation, the Director of OTSB may at the request of the IIC, appoint additional experts from whatever source, to assist the Investigator in a particular investigation and such person(s) shall for the purpose of so doing have such of the powers of an investigator under any Regulations, as may be specified in their appointment.

(d) The OTSB shall entitle the State of Registry, the State of the Operator, the State of Design and the State of Manufacture to appoint an accredited representative to participate in the investigation.

(e) Each State shall inform the Sultanate of Oman whether it intends to appoint an accredited representative and if such a representative is appointed, the name and contact details.

(f) The attention of the State of the Operator, the State of Design and the State of Manufacture is drawn to their obligation to appoint an accredited representative when specifically requested to do so by the State conducting the investigation of an accident to an aircraft over 2 250 kg. Their attention is also drawn to the usefulness of their presence and participation in the investigation.

(g) In the case that aforementioned States did not appoint representatives, the OTSB shall invite the operator to participate in the investigation. Any State which on request provides information, facilities or experts shall be entitled to appoint an accredited representative to participate in the

investigation.

(h) A State which has a special interest in an accident by virtue of fatalities or serious injuries to its citizens, shall, upon making a request to do so, be permitted to appoint an expert.

(i) Participants in the investigation shall be responsive to the direction of the IIC and may lose participation status if they do not comply with their appointed obligations or instructions, or if they conduct themselves in a manner prejudicial to the investigation.

(j) An accredited representative, including his advisers, shall confer entitlement to participate in all aspects of the investigation, under the authorization of the IIC, in particular to:

(1) Visit the scene of the accident;
(2) Examine the wreckage;
(3) Obtain witness information and suggest areas of questioning;
(4) Have full access to all relevant evidence as soon as possible;
(5) Receive copies of all pertinent documents;
(6) Participate in read-outs of recorded media;
(7) Participate in all off-scene investigative activities such as component examinations, technical briefings, tests and simulations;
(8) Participate in all Team meetings including deliberations related to analysis, findings, causes and safety recommendations;
(9) Make submissions in respect of the various elements of the investigation.

(k) With purpose of compliance with aforementioned requirements, and to assist in ensuring complete understanding of the requirements and limitations of participation status, the same shall sign a statement containing these requirements and limitations immediately upon attaining participation status. Failure to timely sign that statement may result in loss of status as a participant. The statement contents shall be determined by the OTSB.

CAR 13.100 Investigator- in-charge – Access and Control

(a) The IIC shall have unrestricted access to the wreckage and all relevant material, including flight recorders and ATS records, and shall have unrestricted control over it to ensure that a detailed examination can be made without delay by authorized personnel participating in the investigation.
Note. — In the case of a remotely piloted aircraft system, relevant material in (a) includes the remotely piloted aircraft, its associated remote pilot station(s), the required C2 Link(s), any other components as specified in the type design, and any associated recordings and documents.

(b) The investigator-in-charge organizes, conducts, controls and manages the field phase of the investigation, regardless of what other representatives of the State are also on-scene at the accident or incident site.

(c) The IIC has the responsibility and authority to supervise and coordinate all resources and activities of all personnel, both government and civilians, involved in the on-site investigation.

(d) Upon presentation of appropriate identification, an IIC is authorized to enter any property where an accident or incident subject to the Omani jurisdiction, has occurred, or wreckage from any such accident or incident is located, and to do all things considered necessary for proper investigation.

(e) Upon demand of an IIC and presentation of identification, any Omani government agency, or person having possession or control of any transportation vehicle or component thereof, any

facility, equipment, process or controls relevant to the investigation, or any pertinent records or memoranda, including all files, hospital records, and correspondence then or thereafter existing, and kept or required to be kept, shall forthwith permit inspection, photographing, or copying thereof by such authorized person for the purpose of investigating an accident or incident, or preparing a study, or related to any special investigation pertaining to safety or the prevention of accidents.

(f) An IIC may question any person having knowledge relevant to an accident or incident, study, or special investigation. The IIC also has exclusive authority, on behalf of the OTSB, to decide the way in which any testing will be conducted, including decisions on the person that will conduct the test, the type of test that will be conducted, and any individual who will witness the test.

(g) The IIC, upon presenting appropriate identification, is authorized to examine and test to the extent necessary any civil or public aircraft, aircraft engines, propellers, appliances, or property aboard such aircraft involved in an accident in commercial air transport.

CAR 13.105 Furnishing of information

Where an accident or incident to which these regulations apply occurs, whether in or over the State or elsewhere, the owner, operator, pilot-in-command, hirer or any other person involved in the loading or operation of the aircraft shall, if so required by notice in writing given to him by the IIC, send to the IIC, within such time as may be specified in the notice, such information as is in his possession or control with respect to the accident and in such form as the IIC may require.

CAR 13.110 Powers of Investigators

For the purpose of the investigation of any accident or incident to which any Regulations apply, or any inquiries undertaken with a view to determining whether any such investigation shall be held, an investigator shall have power:

(a) by summons, under their Charter, to call before them and examine all persons as they deem fit, to require such persons to answer any questions or furnish any information or procure copies of any documents, and articles which the investigator may consider relevant and to retain copies of any such books, papers, documents and articles until the completion of the investigation, or, as the case may be, it is determined that an investigation shall not be carried out;

(b) to take statements from all such persons as they deem fit and to require any such person to make and sign a declaration of the truth of the statements made by them;

(c) to have access to and examine any aircraft involved in any such accident and the place where the accident occurred and to require any such aircraft or any part of equipment thereof to be preserved unaltered pending investigation;

(d) to examine, remove, test and take measures for the preservation of, or otherwise deal with, the aircraft involved in the accident, or, where it appears to the investigator to be necessary for the purposes of such investigation, any other aircraft, or any part of such aircraft or anything contained therein; on production, if required, of his credentials, to enter and inspect any place, building or aircraft, the entry or inspection whereof appears to the investigator to be necessary for the purpose of any such investigation except that an investigator shall not have power to enter any premises which at the time are being used as a dwelling;

(e) to take such measures for the preservation of evidence as they consider appropriate;

(f) The OTSB as the accident investigation authority shall retain, where possible, only copies of records obtained in the course of an investigation.

CAR 13.115 Obstructions of Investigations

(a) The OTSB, in exercising any powers or duties granted by the regulations during an investigation, OTSB shall have unrestricted access and no interference in the conduct of investigation.

(b) A person shall not, without reasonable excuse, fail to comply with any summons or requisition of an investigator conducting an investigation or undertaking any inquiries with a view to determining whether any investigation shall be held under the powers and regulations granted to the OTSB.

CAR 13.120 Form and Conduct of Investigations

(a) The extent of investigations and the procedure to be followed in carrying out investigations required or authorized under the OTSB Regulations shall be determined by the IIC in consultation with the DOTSB and HAAIS taking account of the purpose described in CAR-13.025, (Protection of Evidence, Custody and Removal of Aircraft); the principles and objectives of the OTSB regulations and the lessons they expect to draw from the accident or incident for the improvement of safety.

(b) Public notice that a formal investigation is taking place shall be given in such a manner as the IIC may decide following consultation with DOTSB and the HAAIS and shall invite any persons who desire to make representations concerning the circumstances or causes of the accident, to do so in writing within the time to be specified in the notice.

(c) All investigations shall be held in private.

(d) Where it appears to the investigator in the course of any investigation that in order to resolve any conflict of evidence or that for any other reason it is expedient to do so, they may permit any person to appear before them and to call evidence and examine witnesses.

(e) The DOTSB, in co-ordination with the Investigation Team, may determine that any investigation being carried out into an accident shall be discontinued. In the event of a formal investigation being discontinued no report shall be made thereon.

(f) However, public notice shall be given, in such a manner as the OTSB may determine, that the investigation has been discontinued.

(g) Following the discontinuance of any investigation, the IIC shall submit to the DOTSB and HAAIS, such information as they consider desirable in the interest of the avoidance of accidents and incidents in the future.

CAR 13.125 Recorded Data - Accidents and Incidents

(a) **Flight recorders**

(1) The OTSB, when conducting the investigation, shall arrange for the readout of the flight recorders without delay. Effective use shall be made of flight recorders in the investigation of all accidents and incidents.

(2) In the event that the OTSB does not have adequate facilities to read out the flight recorders, it shall use the facilities made available to it by other states, giving consideration to the following:

(i) the capabilities of the readout facility;

(ii)the timeliness of the readout; and

(iii) the location of the read-out facility.

Note. — The requirements for the recording of flight data are contained in Annex 6 — Operation of Aircraft, Parts I, II, III and IV.

(b) **Ground–based recordings**

Effective use shall be made of available ground-based recordings in the investigation of an accident or an incident.

Note: The requirement for the recording of surveillance data and ATS communications are contained in Annex 11 - Air Traffic Services, Chapter 6.

CAR 13.130 Autopsy Examinations

(a) The OTSB, when conducting the investigation into a fatal accident, shall arrange for complete autopsy examination of fatally injured flight crew and, subject to the particular circumstances, of fatally injured passengers and cabin crew, by a pathologist, preferably experienced in accident investigation. These examinations shall be expeditious and complete.

(b) The IIC is authorized to obtain a copy of the report of autopsy performed on any person who dies as a result of having been involved in an aircraft accident within the jurisdiction of the Sultanate of Oman.

The IIC, following consultation with the DOTSB and HAAIS, may order an autopsy or seek other tests of such persons as may be necessary to the investigation, provided that to the extent consistent with the needs of the accident investigation.

(c) The IIC, when appropriate, shall arrange for medical examination of the crew, passengers and involved aviation personnel by a physician preferably experienced in accident investigation and these examinations shall be expeditious.
Note: such examinations may also determine whether the level of physical and psychological fitness of flight crew and other personnel directly involved in the occurrence is sufficient for them to contribute to the investigation.

CAR 13.135 Medical Examinations

(a) When the OTSB is conducting the investigation it shall arrange for medical examination of the crew, passengers and involved aviation personnel, by a physician, preferably experienced in accident investigation. These examinations shall be expeditious.

(b) Such examinations may also determine whether the level of physical and psychological fitness of flight crew and other personnel directly involved in the occurrence is sufficient for them to contribute to the investigation.

CAR 13.140 Co-ordination with other Authorities

At the site of accident, or serious incident or incident , the IIC and the Investigation Team shall cooperate with other authorities, particularly with judicial authority, search and rescue service, police, coroner's office, medical personnel, airport authority, firefighting service, and other military and civil organizations so that an investigation is not impeded by administrative or judicial investigations or proceedings and particular

attention shall be given to evidence which requires prompt recording and analysis for the investigation to be successful, such as the examination and identification of victims and read-outs of flight recorder recordings.

(a) Particular attention shall be given to evidence, which requires prompt recording and analysis for the investigation to be successful, such as the examination and identification of victims, readouts of flight recorder recordings and ATS recordings.

(b) For the purpose of creating adequate conditions and in achieving good cooperation with other authorities, the DOTSB is obliged to provide necessary working conditions for the IIC and the Investigation Team.

Note 1: Possible conflicts between investigating and judicial authorities regarding the custody of flight recorders and their recordings may be resolved by an official of the judicial authority carrying the recordings to the place of read-out, thus maintaining custody.

Note 2: Possible conflicts between investigating and judicial authorities regarding the custody of the wreckage may be resolved by an official of the judicial authority accompanying the wreckage to the place of examination and being present at such examination when a modification of the condition of the wreckage is required, thus maintaining custody.

CAR 13.145 Informing Security or Judicial Authorities

(a) If, in the course of an investigation, it becomes known, or it is suspected, that an act of unlawful interference was involved, the IIC shall immediately initiate action to ensure that the aviation security authorities of the State(s) concerned are so informed.

(b) If the IIC finds evidence or suspects that the accident, serious incident or incident was a result of a criminal act, he shall refer the matter to the competent and relevant judicial authorities of the State(s) concerned with a view to the institution of necessary legal proceedings.

(c) OTSB recognizes the need for coordination between the IIC and the judicial authorities, however the investigations of both parties remain independently from each other.

CAR 13.150 Disclosure of Records

Protection of accident and incident investigation records

The OTSB, when conducting the investigation into an accident or incident, shall not make the following records available for purposes other than accident or incident investigation, unless the appropriate authority for the administration of justice in the Sultanate of Oman determines and in accordance with national laws and subject to Appendix B of this regulation and CAR-13.150(viii) that their disclosure or use outweighs the adverse domestic and international impact such action may have on that or any future investigations:

(i) cockpit voice recordings and airborne image recordings and any transcripts from such recordings; and

(ii) records in the custody or control of the accident investigation authority being:

(1) all statements taken from persons by the accident investigation authority in the course of their investigation;

(2) all communications including cockpit voice recordings and transcripts from such recordings between persons having been involved in the operation of the aircraft;

(3) medical or private information regarding persons involved in the accident or incident;

(4) recordings and transcripts of recordings from air traffic services units; and

(5) analysis of and opinions about information, including flight recorder information, made by the accident investigation authority and accredited representatives in relation to the accident or incident; and

6) the draft Final Report of an accident or incident investigation.

(iii) States shall determine whether any other records obtained or generated by the accident investigation authority, as a part of an accident or incident investigation, need to be protected in the same way as the records listed in CAR-13.150 (i) (ii)

(iv) These records shall be included in the Final Report or its appendices only when pertinent to the analysis of the accident or incident. Parts of the records not relevant to the analysis shall not be disclosed.

Note: The records listed in CAR-13.150 include information relating to an accident or incident. The disclosure or use of such information for purposes where the disclosure or use is not necessary in the interest of safety may mean that, in the future, the information will no longer be openly disclosed to investigators. Lack of access to such information would impede the investigation process and seriously affect aviation safety.

(v) The names of the persons involved in the accident or incident shall not be disclosed to the public by the accident investigating authority.

(vi) Any other investigation conducted by other agencies for the purpose of determining the party at fault or the civil or criminal liability shall be conducted without reference to any findings determined by the investigating unit.

(vii) The OTSB shall ensure that requests for records in the custody or control of the accident investigation authority are directed to the original source of the information, where available.

(viii) The OTSB shall take measures to ensure that audio content of cockpit voice recordings as well as image and audio content of airborne image recordings are not disclosed to the public.

(ix) OTSB when issuing or receiving a draft Final Report shall take measures to ensure that it is not disclosed to the public.

Note: Appendix B contains additional provisions on the protection of accident and incident investigation records. These provisions appear separately for convenience but form part of the Annex 13 SARPs.

CAR 13.155 Re-opening of Investigations

(a) If, after the OTSB investigation has been closed;

(1) new and significant evidence becomes available; OTSB as the state investigation authority which conducted the investigation shall reopen the investigation..

(2) However, when the State, which conducted the investigation did not institute it, that State shall first obtain the consent of the State, which instituted the investigation.

(b) Any investigation reopened shall be subject to and conducted in accordance with the provisions of

these Regulations relating to a formal investigation thereof.

Note. — Where an aircraft which was considered missing following an official search is subsequently located, consideration may be given to reopening the investigation.

CAR 13.160 Information — Accidents and Incidents

(a) **Responsibility of any other State**

(1) Any State shall, on request from the OTSB as the State conducting the investigation of an accident or an incident, provide OTSB with all the relevant information available to it.

(2) Any State, the facilities or services of which have been, or would normally have been, used by an aircraft prior to an accident or an incident, and which has information pertinent to the investigation, shall provide such information to OTSB as the State conducting the investigation.

(3) OTSB shall cooperate to determine the limitations on disclosure or use that will apply to information before it is exchanged between them for the purposes of an accident or incident investigation.

(4) If a State has any data available from a flight recorder of an aircraft involved in an accident or incident, that State shall:

(i) without delay, provide the State conducting the investigation with all such data the State has available; and not divulge such data without the express consent of the State conducting the investigation.

(b) **Responsibility of the State of Registry and the State of the Operator**

Flight Recorders – Accidents, incidents and serious incidents:

When an aircraft involved in an accident, incident or a serious incident lands in a State other than the State of Occurrence, the OTSB, as the State of Registry or the State of the Operator shall, on request from the State conducting the investigation, furnish the latter State with the flight recorder records and, if necessary, the associated flight recorders.

Note: In implementing the above, the State of Registry or the State of the Operator may request the cooperation of any other State in the retrieval of the flight recorder records.

(c) **Organizational information:**

The OTSB, as the State of Registry and/or the State of the Operator, on request from the State conducting the investigation, shall provide pertinent information on any organization whose activities may have directly or indirectly influenced the operation of the aircraft.

CAR 13.165 Participation in the Investigation

Participation of the State of Registry, the State of the Operator, the State of Design and the State of Manufacture

(a) *Rights.* The State of Registry, the State of the Operator, the State of Design and the State of Manufacture shall each be entitled to appoint an accredited representative to participate in the investigation.

Note: Nothing in this Standard is intended to preclude the State that designed or manufactured the

powerplant or major components of the aircraft from requesting participation in the investigation of an accident.

(b) *Operator – Adviser*. The State of Registry, or the State of the Operator, shall appoint one or more advisers proposed by the operator to assist its accredited representative. When neither the State of Registry nor the State of the Operator appoints an accredited representative, the OTSB, as the State conducting the investigation shall invite the operator to participate subject to the OTSB procedures.

(c) *The State of Design and the State of Manufacture* shall be entitled to appoint one or more advisers, proposed by the organizations responsible for the type design and the final assembly of the aircraft, to assist their accredited representatives.

(d) When neither the State of Design nor the State of Manufacture appoints an accredited representative, the OTSB as the State conducting the investigation shall invite the organizations responsible for the type design and the final assembly of the aircraft to participate, subject to the procedures of the OTSB.

(e) *Obligations*. When the State conducting an investigation of an accident to an aircraft of a maximum mass of over 2,250 kg specifically requests participation by the OTSB, as the State of Registry, the State of the Operator, the State of Design or the State of Manufacture, OTSB shall appoint an accredited representative.

Note 1: Nothing in this Regulation is intended to preclude the State that designed or manufactured the powerplant or major components of the aircraft from requesting participation in the investigation of an accident.

Note 2: Nothing in (e) is intended to preclude the State conducting an investigation from requesting the State that designed or manufactured the powerplant or major components of the aircraft to appoint an accredited representative whenever the former State believes that a useful contribution can be made to the investigation or when such participation might result in increased safety.

Note 3: Nothing in (e) is intended to preclude the State conducting an investigation from requesting the State of Design and the State of Manufacture to give assistance in the investigation of accidents other than those in (e).

Note 4: The pertinent documents referred to in subparagraph (5) also include documents such as the reports on examinations of components or studies performed within the framework of the investigation.

Note 5: Nothing in this Regulation intended to imply that the accredited representative and advisers of State have to be always present in the State in which the investigation is conducted.

CAR 13.170 Participation of other States

(a) *Rights.* Any State, which on request provides information, facilities or experts to the State conducting the investigation, shall be entitled to appoint an accredited representative to participate in the investigation.

(b) Any State that provides an operational base for field investigations or, is involved in search and rescue or wreckage recovery operations, or is involved as a State of a code-share or alliance partner of the operator, may also be invited to appoint an accredited representative to participate in the investigation.

CAR 13.175 Entitlement of Accredited Representatives

(a) *Advisers.*

(1) A State entitled to appoint an accredited representative shall also be entitled to appoint one or more advisers to assist the accredited representative in the investigation.

(2) Advisers assisting an accredited representative shall be permitted, under the accredited representative's supervision, to participate in the investigation to the extent necessary to enable the accredited representative to make his or her participation effective.

(b) *Facilitation.* The carriage of an official or service passport may expedite the entry. Entry of investigation personnel and equipment may be expedited by the establishment of prior agreements between OTSB and immigration and customs authority within the State.

(c) *Participation.* Participation in the investigation shall confer entitlement to participate in all aspects of the investigation, under the control of the Investigator-in-charge, in particular to;

(1) visit the scene of the accident;
(2) examine the wreckage;
(3) obtain witness information and suggest areas of questioning;
(4) have full access to all relevant evidence as soon as possible;
(5) receive copies of all pertinent documents;
(6) participate in readouts of recorded media;
(7) participate in off-scene investigative activities such as component examinations, technical briefings, tests and simulations;
(8) participate in investigation progress meetings including deliberations related to analysis, findings, causes and safety recommendations; and
(9) make submissions in respect of the various elements of the investigation.

(d) *Limitations.* However, participation of States other than the State of Registry, the State of the Operator, the State of Design and the State of Manufacture may be limited to those matters, which entitled such states to participation under paragraph CAR-13.170.

(e) *Obligations.* The accredited representative and his or her advisers;

(1) shall provide the State conducting the investigation with all relevant information available to them; and
(2) shall not divulge information on the progress and the findings of the investigation without the express consent of the State conducting the investigation.

CAR 13.180 States having suffered Fatalities or Serious Injuries to their Citizens

(a) *Rights and entitlements*. A State, which has a special interest in an accident, by virtue of fatalities or serious injuries to its citizens shall, upon making a request to do so, be permitted by the State conducting the investigation to appoint an expert who shall be entitled to:

(1) visit the scene of the accident;
(2) have access to the relevant factual information which is approved for public release by the OTSB conducting the investigation, and information on the progress of the investigation;
(3) participate in the identification of the victims;
(4) assist in questioning surviving passengers who are citizens of the expert's State; and
(5) receive a copy of the Final Report.

(b) OTSB as the State conducting the investigation shall release, at least during the first year of the investigation, established factual information and indicate the progress of the investigation in a timely manner.

CAR 13.185 Access to and Release of Wreckage, Records, Mail and Cargo

(a) Only the accident investigation personnel and persons authorized by the IIC to participate in an investigation, examination or testing shall be permitted access to wreckage, records, mail or cargo in the custody.

(b) Wreckage, records, mail and cargo in the custody shall be released when it is determined that the OTSB have no further need of such wreckage, mail, cargo or records. This decision shall be brought by the IIC in consultation with DOTSB and HAAIS.

CAR 13.190 Cooperation with the Media

(a) Release of information during the field investigation, particularly at the accident scene, shall be limited to factual developments, and shall be made only through a person designated by the DOTSB in cooperation with Royal Oman Police. All information concerning the accident or incident obtained by any person or organization participating in the investigation shall be passed to the IIC through appropriate channels before being provided to any individual outside the investigation.

(b) No information concerning the accident or incident may be released to any media or any person before initial release by the DOTSB and HAAIS with prior consultation of the IIC and the Media Department within MTCIT.

SUBPART D – FINAL REPORT

Note: The format of the Final Report in Appendix A shall be used. However, it may be adapted to the circumstances of the accident or incident.

CAR 13.200 Consultation

(a) The Final Report is prepared by the IIC and the investigation Team. The report shall cover in detail all relevant aspects of the investigation. The Final Report is approved and issued by the OTSB.

(b) The OTSB as the State conducting the investigation shall send a copy of the draft Final Report to the following States, inviting their significant and substantiated comments on the report as soon as possible. The draft Final Report of the investigation shall be sent for comments to:
   (1) the State that instituted the investigation
   (2) the State of Registry;
   (3) the State of the Operator
   (4) the State of Design;
   (5) the State of Manufacture.
   (6) any State that participated in the investigation.

(c) The usual consultation period shall be thirty days from the date of the transmittal correspondence. The consultation period shall be extended to sixty days by the State conducting the investigation if it is notified of the need for additional time by the State invited to comment. If the OTSB as the State conducting the investigation receives comments within thirty days of the date of the transmittal letter it shall either amend the draft Final Report to include the substance of the comments received, or if desired by the State that provided comments, append the comments to the Final Report. If the OTSB receives no comments within thirty days of the date of the first transmittal letter, it shall issue the Final Report in accordance to CAR-13.205 to the recipient States unless an extension of up to sixty days period has been agreed by the States concerned.

(d) OTSB shall send through the State of the Operator, a copy of the draft Final Report to the operator to enable the operator to submit comments on the draft Final Report.

(e) OTSB shall send through the State of Design and the State of Manufacture, a copy of the draft Final Report to the organizations responsible for the type design and the final assembly of the aircraft to enable them to submit comments on the draft Final Report.

CAR 13.205 Recipient States

The Final Report of the investigation shall be sent with a minimum of delay by the OTSB to:

(a) the Minister;
(b) the State of Registry;
(c) the State of the Operator;
(d) the State of Design;
(e) the State of Manufacture;
(f) the International Civil Aviation Organization (ICAO) for an aircraft having mass over 5,700 kg or is powered by jet turbine engines;
(g) any State having suffered fatalities or serious injuries to its citizens; and
(h) any State that provide relevant information, significant facilities or experts.
(i) the State that instituted the investigation.

(j) any State that participated in the investigation.

Comments to be appended to the Final Report are restricted to non-editorial-specific technical aspects of the Final Report upon which no agreement could be reached.

Note 1.— Whenever practicable, the Final Report sent to ICAO is to be prepared in one of the working languages of the Organization and in the form shown in the Appendix A.

Note 2.— Final Reports are recorded in an ICAO central database, the e-Library of Final Reports, which is publicly available.

Note 3.— The copy of the Final Report sent to ICAO is preferably prepared in an electronic format to facilitate its upload onto the e-Library of Final Reports.

CAR 13.210 Responsibility of any State

Release of Information – Consent and release of the Final Report

(a) The OTSB shall not circulate, publish or give access to a draft report or any part thereof, or any documents obtained during an investigation of an accident or incident, without the express consent of the State which conducted the investigation, unless such reports or documents have already been published or released by that latter State.

(b) The Final Report shall be released in the shortest time and, if possible, within twelve months of the date of the occurrence. If the report cannot be released within aforementioned period, the IIC shall release an interim statement on each anniversary of the occurrence, detailing the progress of the investigation and any safety issues raised.

(c) At any stage of the accident or incident the IIC shall recommend any preventive action that it considers necessary to be taken to enhance aviation safety. Safety recommendation shall be distributed within the State, to other State(s) and when ICAO documents are involved, to ICAO.

(d) If the State conducting the investigation does not make the Final Report or an interim statement publicly available within a reasonable timeframe, other States participating in the investigation are entitled to request in writing from the State conducting the investigation express consent to release a statement containing safety issues raised with such information as is available. If the State conducting the investigation gives express consent or does not reply to such a request within 30 days, the State making the request shall release such a statement after coordinating with participating States.

Note: Guidance on what may constitute a "reasonable time frame" for a State to make a Final Report and/or an interim statement publicly available is contained in the Manual of Aircraft Accident and Incident Investigation*, Part IV —* Reporting *(Doc 9756).*

CAR 13.215 Publication of Reports

(a) *Public access*.

(1) The DOTSB shall, unless in their opinion there are good reasons to the contrary, cause the report to be made public, wholly or in part, in such manner as they consider appropriate.

(2) In the interest of accident prevention, the Director of OTSB shall make the Final Report publicly available as soon as possible and, if possible, within twelve months of the date of the occurrence. Making a Final Report publicly available can be achieved by posting the Final Report on the MTCIT - OTSB webpage www.mtcit.gov.om and does not necessarily require a hard-copy publication of

the Final Report.

(3) If the report cannot be made publicly available within twelve months, OTSB shall make an interim statement publicly available on each anniversary of the occurrence, detailing the progress of the investigation and any safety issues raised.

(b) *Format.* Appendix A, paragraph B, to CAR-13.215 shall be used for the format of the Final Report. It may be adjusted to the circumstances of the accident, serious incident or incident.

CAR 13.220 Safety Recommendations

(a) At any stage of the investigation of an accident, serious incident or incident, the OTSB, as the investigation authority, shall recommend in a dated transmittal correspondence to the appropriate authorities, including those in other States, any preventative action, which it considers necessary to be taken promptly to enhance aviation safety.

(b) Precedence for the issuance of safety recommendations from an accident, serious incident or incident investigation is given to the State conducting the investigation; however, in the interest of safety, other States participating in the investigation shall be entitled to issue safety recommendations after coordinating with the State conducting the investigation.

Note 1: Nothing in this Standard is intended to preclude the State conducting the investigation from consulting States participating in the investigation on its draft safety recommendations, inviting their comments on the appropriateness and effectiveness of these recommendations.

Note 2: Effective coordination of draft safety recommendations would avoid issuance of conflicting safety recommendations by the States participating in the investigation.

(c) The OTSB as a State conducting investigations of accidents, serious incident or incidents shall address, when appropriate, any safety recommendations in a dated transmittal correspondence of its investigations, to the accident investigation authorities of other State(s) concerned and, when ICAO documents are involved, to ICAO.

Note: When Final Reports contain safety recommendations addressed to ICAO, because ICAO documents are involved, these reports shall be accompanied by a letter outlining the specific action proposed.

CAR 13.225 Action on Safety Recommendations

(a) When OTSB receives safety recommendations shall inform the proposing State, within ninety

(90) days of the date of the transmittal correspondence, of the preventive action taken or under consideration, or the reasons why no action will be taken.

(b) These responses shall be recorded and a copy of such response action is to be appended to the investigation file.

(c) OTSB shall implement procedures to record the responses received under (a) to the safety recommendation issued.

(d) OTSB shall implement procedures to monitor the progress of the action taken in response to that safety recommendation.

Note: Guidance on the identification, drafting and follow-up of safety recommendations is contained in the OTSB Air Accident and Incident Investigation Manual.

(e) A State issuing a safety recommendation of global concern (SRGC) shall inform ICAO of the issuance of that recommendation and its responses in dated transmittal correspondence, even when the SRGC is not addressed to ICAO.
Note: SRGC and responses are recorded in an ICAO central database that is made publicly available.

CAR 13.300 Preliminary Report

Responsibility of the OTSB when conducting an investigation

(a) Accidents to aircraft over 2,250 kg

When the aircraft involved in an accident is of a maximum mass over 2,250 kg, the OTSB shall send the Preliminary Report to:

(1) the State of Registry or the State of Occurrence, as appropriate;
(2) the State of the Operator;
(3) the State of Design;
(4) the State of Manufacture;
(5) any State that provided relevant information, significant facilities or experts; and
(6) International Civil Aviation Organization;

(b) Accidents to aircraft of 2,250 kg or less

When an aircraft involved in an accident is of a maximum mass less than 2,250 kg, and when airworthiness or matters considered to be of interest to other States are involved, the OTSB shall send the Preliminary Report to:

(1) the State of Registry or the State of Occurrence, as appropriate;
(2) the State of the Operator;
(3) the State of Design;
(4) the State of Manufacture;
(5) any State that provide relevant information, significant facilities or experts.

(c) Dispatch

The Preliminary Report shall be sent by, an e-mail or airmail within thirty days of the date of the accident unless the Accident/ Serious Incident /Incident Data Report has been sent by that time. When matters directly affecting safety are involved, it shall be sent as soon as the information is available and by the most suitable and quickest means available.

(d) Language

Preliminary Report shall be submitted to the appropriate States and to ICAO in English or Arabic, taking into account the language of the recipient(s).

Note: Examples of these reports can be found in the Manual of Aircraft Accident and Incident Investigation, Part IV – Reporting (Doc 9756).

SUBPART E – ADREP REPORTING

The ICAO ADREP database of accident, serious incident and incident information is used to provide States with flight safety information and in order to assist them in their accident, serious incident or incident investigation and preventions efforts.

Accident/Incident Data Report

RESPONSIBILITY OF THE STATE CONDUCTING THE INVESTIGATION

Accidents to aircraft over 2 250 kg

When the aircraft involved in an accident is of a maximum mass of over 2 250 kg, the OTSB as the State conducting the investigation shall send, as soon as practicable after the investigation, the Accident Data Report to the International Civil Aviation Organization.

(a) Additional information

The State conducting the investigation shall, upon request, provide other States with pertinent information additional to that made available in the Accident/Incident Data Report.

(b) *Incidents to aircraft over 5,700 kg*

If the OTSB conducts an investigation into an incident to an aircraft of a maximum mass of over 5,700 kg, the OTSB shall send, as soon as is practicable after the investigation, the Incident Data Report to the International Civil Aviation Organization.

Note: The types of incidents, which are of main interest to ICAO for accident prevention studies are listed in Appendix D of this regulation.

SUBPART F – ACCIDENT PREVENTION MEASURES

CAR 13.400 Occurrence Reporting Systems

(a) OTSB shall establish a Mandatory Occurrence Reporting (MOR) system to facilitate collection of information on actual or potential safety deficiencies, any accident, serious incident or incident within seventy-two (72) hours from the time of occurrence.

(b) Mandatory Occurrence Reports are obligatory. These reports will cover actions stated in Appendix D of this regulation and will cover such areas as follows:
   (1) Aircraft flight operations
   (2) Aircraft technical
   (3) Aircraft maintenance and repair
   (4) Ground services and facilities
   (5) Aerodromes

(c) Sultanate of Oman shall establish a voluntary incident reporting system to facilitate collection of information on actual or potential safety deficiencies that may not be captured by the mandatory occurrence reporting system. *This Voluntary Reporting System (VRS) will be established by the State*.
   (1) A voluntary incident reporting system shall be non-punitive and afford protection to the sources of the information.

(d) An operator shall ensure that the OTSB, will be informed and notified by the quickest means available of any accident, incident or serious incident.

CAR 13.405 Database Systems and Analysis — Preventive Actions

(a) The State shall establish and maintain an accident, serious incident and incident database to facilitate the effective analysis of information on actual or potential safety deficiencies obtained, including that from its incident reporting systems, and to determine any preventive actions required.

(b) The database systems shall use standardized formats to facilitate data exchange.

(c) State authorities responsible for the implementation of the SSP shall have access to the accident and incident database referenced in CA (a) to support their safety responsibilities.
Note: An accident and incident database may be included in a safety database, which may refer to a single or multiple database(s). Further provisions on a safety database are contained in Annex 19 — Safety Management. Additional guidance is also included in the Safety Management Manual (SMM) (Doc 9859).

(d) The State shall, following the identification of preventive actions required to address actual or potential safety deficiencies, implement these actions and establish a process to monitor implementation and effectiveness of the responses.

(e) The State, in the analysis of the information contained in its database, identifies safety matters considered to be of interest to other States, that State shall forward such safety information to them as soon as possible.

(f) In addition to safety recommendations arising from accident and incident investigations, safety recommendations may result from diverse source including safety studies. If safety recommendations are addressed to an organization in another State, they shall also be transmitted to that State's

investigation authority via the OTSB.

(g) Exchange of safety information

States shall promote the establishment of safety information sharing networks among all users of the aviation system and shall facilitate the free exchange of information on actual and potential safety deficiencies.

APPENDIX A – FORMAT OF THE FINAL REPORT

A. PURPOSE

The purpose of this format is to present the Final Report in a convenient and uniform manner.

B. FORMAT

Title. The Final Report begins with a title comprising: name of the operator; manufacturer, model, nationality and registration marks of the aircraft; place and date of the accident or incident.

Synopsis. Following the title is a synopsis describing briefly all relevant information regarding: notification of accident to national and foreign authorities; identification of the accident investigation authority and accredited representation; organization of the investigation; authority releasing the report and date of publication; and concluding with a brief résumé of the circumstances leading to the accident.

Body. The body of the Final Report comprises the following main headings:

(1) Factual information
(2) Analysis
(3) Conclusions
(4) Safety recommendations; each heading consisting of a number of subheadings as outlined in the following.
(5) Appendices – Include as appropriate.

Note: In preparing a Final Report, using this format, ensure that:

(a) all information relevant to an understanding of the factual information, analysis and conclusions is included under each appropriate heading; and

(b) where information in respect of any of the items in (1) Factual information is not available, or is irrelevant to the circumstances leading to the accident, a note to this effect is included under the appropriate subheadings.

1. FACTUAL INFORMATION

1.1 History of the flight. A brief narrative giving the following information:

(a) Flight number, type of operation, last point of departure, time of departure (local time or UTC), point of intended landing.

(b) Flight preparation, description of the flight and events leading to the accident, including reconstruction of the significant portion of the flight path, if appropriate.

(c) Location (latitude, longitude, elevation), time of the accident (local time or UTC), whether day or night.

1.2 Injuries to persons. Completion of the following (in numbers):

Table

Injuries	Crew	Passengers	Others
Fatal			
Serious			
Minor/ None			

Note: Fatal injuries include all deaths determined to be a direct result of injuries sustained in the accident. Serious injury is defined in Chapter 1 of Annex 13.

1.3 Damage to aircraft. Brief statement of the damage sustained by aircraft in the accident (destroyed, substantially damaged, slightly damaged, no damage).

1.4 Other damage. Brief description of damage sustained by objects other than the aircraft.

1.5 Personnel information:

(a) Pertinent information concerning each of the flight crew members including: age, validity of licenses, ratings, mandatory checks, flying experience (total and on type) and relevant information on duty time.

(b) Brief statement of qualifications and experience of other crew members.

(c) Pertinent information regarding other personnel, such as air traffic services, maintenance, etc., when relevant.

1.6 Aircraft information:

(a) Brief statement on airworthiness and maintenance of the aircraft (indication of deficiencies known prior to and during the flight to be included, if having any bearing on the accident).

(b) Brief statement on performance, if relevant, and whether the mass and centre of gravity were within the prescribed limits during the phase of operation related to the accident. (If not and if of any bearing on the accident, give details.)

(c) Type of fuel used.

1.7 Meteorological information:

(a) Brief statement on the meteorological conditions appropriate to the circumstances including both forecast and actual conditions, and the availability of meteorological information to the crew.

(b) Natural light conditions at the time of the accident (sunlight, moonlight, twilight, etc.).

1.8 Aids to navigation. Pertinent information on navigation aids available, including landing aids such as ILS, MLS, NDB, PAR, VOR, visual ground aids, etc., and their effectiveness at the time.

1.9 Communications. Pertinent information on aeronautical mobile and fixed service communications and their effectiveness.

1.10 Aerodrome information. Pertinent information associated with the aerodrome, its facilities and condition, or with the take-off or landing area if other than an aerodrome.

1.11 Flight recorders. Location of the flight recorder installations in the aircraft, their condition on recovery and pertinent data available therefrom.

1.12 Wreckage and impact information. General information on the site of the accident and the distribution pattern of the wreckage; detected material failures or component malfunctions. Details concerning the location and state of the different pieces of the wreckage are not normally

required unless it is necessary to indicate a break-up of the aircraft prior to impact. Diagrams, charts and photographs may be included in this section or attached in the Appendices.

1.13 Medical and pathological information. Brief description of the results of the investigation

undertaken and pertinent data available therefrom.

***Note. — Medical information related to flight crew licenses shall be included in 1.5 — Personnel information.*

1.14 Fire. If fire occurred, information on the nature of the occurrence, and of the firefighting equipment used and its effectiveness.

1.15 Survival aspects. Brief description of search, evacuation and rescue, location of crew and passengers in relation to injuries sustained, failure of structures such as seats and seat-belt attachments.

1.16 Tests and research. Brief statements regarding the results of tests and research.

1.17 Organizational and management information. Pertinent information concerning the organizations and their management involved in influencing the operation of the aircraft. The organizations include, for example, the operator; the air traffic services, airway, aerodrome and weather service agencies; and the regulatory authority. The information could include, but not be limited to, organizational structure and functions, resources, economic status, management policies and practices, and regulatory framework.

1.18 Additional information. Relevant information not already included in 1.1 to 1.17.

1.19 Useful or effective investigation techniques. When useful or effective investigation techniques have been used during the investigation, briefly indicate the reason for using these techniques and refer here to the main features as well as describing the results under the appropriate subheadings 1.1 to 1.18.

2. ANALYSIS

Analyze, as appropriate, only the information documented in Part 1.1 (Factual information) and which is relevant to the determination of conclusions and causes and/or contributing factors.

3. CONCLUSIONS

List the findings, causes and/or contributing factors established in the investigation. The list of causes shall include both the immediate and the deeper systemic causes and/or contributing factors.

Note: As stated above, the Final Report format presented in this Appendix may be adapted to the circumstances of the accident or incident. Thus, States may use either "causes" or "contributing factors", or both, in the Conclusions.

4. SAFETY RECOMMENDATIONS

As appropriate, briefly state any recommendations made for the purpose of accident prevention and identify safety actions already implemented.

5. APPENDICES

Include, as appropriate, any other pertinent information considered necessary for the understanding of the report.

6. ACCIDENT PREVENTION MEASURES

Safety recommendations

In accordance with ICAO Annex 13, the OTSB shall recommend to the Aircraft Operator through the State of Operator, Aircraft Manufacturer through the State of Manufacturer, Aircraft Design organization through

the State of Design, Aviation Authority, including those in other States, any preventive action that is considered necessary to be taken promptly to enhance aviation safety. The Final Report shall describe the safety problem and provide justification for safety actions. Consideration shall be given to whether a safety recommendation shall prescribe a specific solution to a problem or whether the recommendation shall be flexible enough to allow the addressee latitude in determining how the objective of the recommendation can be achieved.

The safety recommendation shall identify what action is required, but shall leave considerable scope for the implementing authority to determine how the problem will be resolved.

APPENDIX B – PROTECTION OF ACCIDENT AND INCIDENT INVESTIGATION RECORDS

1. INTRODUCTION

Note 1: The disclosure or use of records listed in CAR13.150, in criminal, civil, administrative or disciplinary proceedings, or their public disclosure, can have adverse consequences for persons or organizations involved in accidents and incidents, likely causing them or others to be reluctant to cooperate with accident investigation authorities in the future. The determination on disclosure or use required by para CAR13.150 is designed to take account of these matters.

Note 2: In accordance with para CAR13.150, the provisions specified in this Appendix are intended to:

(a) assist States in developing national laws, regulations and policies to protect accident and incident investigation records appropriately; and

(b) assist the competent authority in making the determination as required by para CAR13.150.

Note 3: Throughout this Appendix:

(a) balancing test refers to the determination by the competent authority, in accordance with para CAR13.150, of the impact the disclosure or use of accident and incident investigation records may have on current or future investigations; and

(b) record(s) refers to those listed in para CAR13.150.

Note 4: Provisions on the use and protection of safety information and related sources other than accident and incident investigation records are included in Annex 19 — Safety Management.

2. GENERAL

2.1 OTSB shall accord the protections in CAR 13.150(a)(b) and this Appendix to the entire recording of the cockpit voice recorder and airborne image recorder, and any transcripts from such recordings. These protections shall apply from the time an accident or incident occurs and continue after the publication of the Final Report.

2.2 OTSB shall accord the protections in para CAR 13.150(a)(b) and this Appendix to the other records listed in para CAR13.150 b). These protections shall apply from the time they come into the custody or control of the accident investigation authority and continue after the publication of the Final Report.

Non-disclosure of audio or image recordings to the public

2.3 States shall take action to achieve the non-disclosure of audio content of cockpit voice recordings as well as image and audio content of airborne image recordings to the public, as per CAR13.150(h), such as:

(a) prevention of disclosure through the adoption of national laws, regulations and policies; or

(b) adoption of authoritative safeguards such as protective orders, closed proceedings or in-camera review; or

(c) prevention of disclosure of recordings through technical means, such as encrypting or overwriting, before returning the cockpit voice recorders or airborne image recorders to the owners.

Note: Ambient workplace recordings, such as cockpit voice recordings and airborne image recordings, required by SARPs contained in the Annexes to the Chicago Convention may be perceived as constituting an invasion of the privacy of operational personnel if disclosed or used for purposes other than those for which the recordings were made.

3. COMPETENT AUTHORITY

In accordance with CAR13.150, each State shall designate a competent authority or competent authorities appropriate to the task of administering the balancing test.

Note: Different competent authorities may be designated for different circumstances. For example, the competent authority designated for applying the balancing test in criminal or civil proceedings may be a judicial authority. Another competent authority may be designated for applying the balancing test in cases where the purpose of the request for disclosure is for public accessibility.

4. ADMINISTRATION OF THE BALANCING TEST

4.1 Where the request is for a record to be disclosed or used in a criminal, civil, administrative or disciplinary proceeding, the competent authority shall be satisfied that a material fact in question in the proceedings cannot be determined without that record, before administering the balancing test.

Note: A material fact in question is a legal term used to refer to a fact that is significant or essential to the matter at hand, that one party alleges and that the other controverts, and is to be determined by the competent authority administering the balancing test.

4.2 When administering the balancing test, the competent authority shall take into consideration factors such as:

(a) the purpose for which the record was created or generated;
(b) the requester's intended use of that record;
(c) whether the rights or interests of a person or organization will be adversely affected by the disclosure or use of that record;
(d) whether the person or organization to whom that record relates has consented to make that record available;
(e) whether suitable safeguards are in place to limit the further disclosure or use of that record;
(f) whether that record has been or can be de-identified, summarized or aggregated;
(g) whether there is an urgent need to access that record to prevent a serious risk to health or life;
(h) whether that record is of a sensitive or restrictive nature; and
(i) whether that record reasonably indicates that the accident or incident may have been caused by an act or omission considered, in accordance with national laws and regulations, to be gross negligence, willful misconduct, or done with criminal intent.

Note 1: The administration of the balancing test can be done once for a certain category of records and the result incorporated into national laws and regulations.

Note 2: The competent authority may need to administer a balancing test for determining whether to permit the disclosure of a record, and a separate balancing test for determining whether to permit the use of a record.

Note 3: Guidance material on the balancing test can be found in the Manual on Protection of Safety Information *(Doc 10053), Part I* — Protection of Accident and Incident Investigation Records*.*

5. RECORDS OF THE DECISIONS

The competent authority shall record the reasons for its determination when administering the balancing test. The reasons shall be made available and referred to as necessary for subsequent decisions.

Note: States may submit the decisions recorded to the International Civil Aviation Organization in one of the working languages of the Organization to be archived in a public database.

6. FINAL REPORT

(1) In order to limit the use of the Final Report for purposes other than the prevention of accidents and incidents, States shall consider:

(a) instituting a separate investigation for those other purposes; or

(b) differentiating between the parts of the Final Report in order to allow the use of factual information contained therein while preventing use of analysis, conclusions and safety recommendations for apportioning blame or liability; or

(c) preventing the use of the Final Report as evidence in proceedings to apportion blame or liability.

Note: In accordance with CAR13.215 Final Reports are publicly available in the interest of accident prevention and are not subject to protection under CAR13.150. However, the use of portions of the Final Report, in particular the analysis, conclusions and safety recommendations, as evidence before national courts in view of assigning blame or determining liability is against the purposes for which the investigation was undertaken.

7. ACCIDENT AND INCIDENT INVESTIGATION PERSONNEL

In the interest of safety and in accordance with CAR13.011; States shall consider that accident investigation personnel not be compellable to give an opinion on matters of blame or liability in civil, criminal, administrative or disciplinary proceedings.

APPENDIX C – RIGHTS & OBLIGATIONS OF THE STATE OF THE OPERATOR IN RESPECT OF ACCIDENTS AND INCIDENTS INVOLVING LEASED, CHARTERED OR INTERCHANGED AIRCRAFT

The Standards and Recommended Practices of Annex 13 — *Aircraft Accident and Incident Investigation* were developed when the State of Registry and the State of the Operator normally were the same. In recent years, however, international aircraft leasing and interchanging arrangements have developed so that in many instances the State of the Operator is different from the State of Registry.

Leasing or interchange arrangements sometimes include the provision of flight crews from the State of Registry. However, more often, flight crews are provided by the State of the Operator and the aircraft operated under national legislation of the State of the Operator. Similarly, a variety of arrangements for airworthiness can emerge from these arrangements. Airworthiness responsibility may rest, wholly or partly, with the State of the Operator or State of Registry.

Sometimes the operator, in conformity with an airworthiness control system specified by the State of Registry, carries out maintenance and keeps records.

In the event of an accident or incident, it is important that any State which has assumed responsibility for the safety of an aircraft has the right to participate in an investigation, at least in respect of that responsibility. It is also important that the State conducting the investigation shall have speedy access to all documents and other information relevant to that investigation.

When the location of an accident or an incident cannot definitely be established as being in the territory of another State, the State of the Operator, after consultation with the State of Registry, shall accept full or partial responsibility for the conduct of the investigation.

Note: In this checklist, the following terms have the meaning indicated below:

(1) International occurrences: *accidents and serious incidents occurring in the territory of a Contracting State to aircraft registered in another Contracting State.*

(2) Domestic occurrences: *accidents and serious incidents occurring in the territory of the State of Registry.*

(3) Other occurrences: *accidents and serious incidents occurring in the territory of a non- Contracting State, or outside the territory of any State.*

APPENDIX D – LIST OF EXAMPLES OF REPORTABLE INCIDENTS

(1) There may be a high probability of an accident if there are few or no safety defenses remaining to prevent the incident from progressing to an accident. To determine this, an event risk-based analysis, that takes into account the most credible scenario had the incident escalated and the effectiveness of the remaining defenses between the incident and the potential accident, can be performed as follows:

(a) consider whether there is a credible scenario by which this incident could have escalated into an accident; and

(b) assess the remaining defenses between the incident and the potential accident as:

(i) effective, if several defenses remained and needed to coincidently fail; or

(ii) limited, if few or no defenses remained, or when the accident was only avoided due to providence.

(2) Consider both the number and robustness of the remaining defenses between the incident and the potential accident. Ignore defenses that already failed, and consider only those which worked and any subsequent defenses still in place.

Note 1: The most credible scenario refers to the realistic assessment of injury and/or damage resulting from the potential accident.

Note 2: Defenses include crew, their training and procedures, ATC, alerts (within and outside the aircraft), aircraft systems and redundancies, structural design of the aircraft and aerodrome infrastructure.

In the case of an unmanned aircraft, consider whether the most credible outcome, had the incident escalated into an accident, could have resulted in a person being fatally or seriously injured. Fatal and serious injuries are more likely to justify an investigation than those occurrences where the most credible outcome was merely damage to or loss of the unmanned aircraft. The risk of fatal or serious injury may also influence the extent of the investigation to be conducted.

(3) The combination of these two assessments helps in determining which incidents are serious incidents:

		b) Remaining defenses between the incident and the potential accident	
		Effective	**Limited**
a) most credible scenario	**Accident**	**Incident**	**Serious Incident**
	No accident	**Incident**	

(4) The incidents listed are examples of incidents that may be serious incidents. However, the list is not exhaustive and, depending on the context, items on the list may not be classified as serious incidents if effective defenses remained between the incident and the credible scenario.

(a) Near collisions requiring an avoidance manoeuvre to avoid a collision or an unsafe situation or when an avoidance action would have been appropriate.

(b) Collisions not classified as accidents.

(c) Controlled flight into terrain only marginally avoided.

(d) Aborted take-offs on a closed or engaged runway, on a taxiway (excluding authorized operations by helicopters) or unassigned runway.

(e) Take-offs from a closed or engaged runway, from a taxiway (excluding authorized operations by helicopters) or unassigned runway.

(f) Landings or attempted landings on a closed or engaged runway, on a taxiway (excluding authorized operations by helicopters) or, unassigned runway or unintended landing locations such as roadways.

(g) Retraction of a landing gear leg or wheels-up landing not classified as an accident.

(h) Dragging during landing of a wing tip, an engine pod or any other part of the aircraft, when not classified as an accident.

(i) Gross failures to achieve predicted performance during take-off or initial climb.

(j) Fires and/or smoke in the cockpit, in the passenger compartment, in cargo compartments or engine fires, even though such fires were extinguished by the use of extinguishing agents.

(k) Events requiring the emergency use of oxygen by the flight crew.

(l) Aircraft structural failures or engine disintegrations, including uncontained turbine engine failures, not classified as an accident.

(m) Multiple malfunctions of one or more aircraft systems seriously affecting the operation of the aircraft.

(n) Flight crew incapacitation in flight:

(i) for single pilot operations (including remote pilot);

(ii) for multi-pilot operations for which flight safety was compromised because of a significant increase in workload for the remaining crew.

(o) Fuel quantity level or distribution situations requiring the declaration of an emergency by the pilot, such as insufficient fuel, fuel exhaustion, fuel starvation, or inability to use all usable fuel on board.

(p) Runway incursions classified with severity A. The Manual on the Prevention of Runway Incursions (Doc 9870) contains information on the severity classifications.

(q) Take-off or landing incidents. Incidents such as under-shooting, overrunning or running off the side of runways.

(r) System failures (including loss of power or thrust), weather phenomena, operations outside the approved flight envelope or other occurrences which caused or could have caused difficulties controlling the aircraft.

(s) Failures of more than one system in a redundancy system mandatory for flight guidance and navigation.

(t) The unintentional or, as an emergency measure, the intentional release of a slung load or any other load carried external to the aircraft.

Note 1: Although this regulation lists the majority of reportable occurrences, it is not completely comprehensive. Any other occurrences, which are judged by those involved to meet the criteria, shall also be reported.

Note 2: This regulation does not include accidents; however, all accidents require a mandatory report.

Note 3: Occurrences to be reported are those where the safety of operation was or could have been endangered or which could have led to an unsafe condition. If in the view of the reporter an occurrence did not endanger the safety of the operation but if repeated in different but likely circumstances would create a hazard, then a report shall be made. What is judged to be reportable on one class of product, part or appliance may not be so on another and the absence or presence of a single factor, human or technical, can transform an occurrence into an accident or serious incident.

Note 4: Specific operational approvals, e.g. "RVSM" (reduced vertical separation minima), "ETOPS" (extended range twin operations), "RNAV" (area navigation), or a design or maintenance programme, may have specific reporting requirements for failures or malfunctions associated with that approval or programme.

Note 5: The primary objective of occurrence reporting is to monitor, disseminate and record for analysis, critical or potentially critical safety occurrences. It is not intended to collect and monitor the normal flow of day-to-day defects/incidents etc. The latter is an important part of the overall flight safety task but other procedures and systems exist to carry out this function. Organisational reporting policies need to ensure clear criteria for mandatory reporting to CAA and OTSB to ensure that all relevant safety events are completely and correctly reported and that those events which are not required to be sent to the CAA/OTSB are well defined and are appropriately reported in accordance with the organisation's internal reporting system(s). Reporters shall ensure that the content of their reports meets the criteria and guidance referenced in this CAR. Particular emphasis shall be paid towards ensuring that day-to-day anomalies, insignificant technical defects and routine reliability issues are dealt with by means of the normal organisational systems and procedures.

1. AIRCRAFT FLIGHT OPERATIONS

A. Operation of the Aircraft

(1) Aircraft manoeuver:

(a) Risk of collision with an aircraft, terrain or other object or an unsafe situation when avoidance action would have been appropriate.

(b) An avoidance maneuver required to avoid a collision with an aircraft, terrain or other object.

(c) An avoidance maneuver to avoid other unsafe situations.

(2) Take-off or landing incidents, including precautionary or forced landings

(3) Incidents such as under-shooting, over running or running off the side of runways

(4) Take-offs, rejected take-offs, landings or attempted landings on a closed, occupied or incorrect runway

(5) Inability to achieve predicted performance during take-off or initial climb

(6) Critically low fuel quantity or inability to transfer fuel or use total quantity of usable fuel

(7) Loss of control (including partial or temporary loss of control) from any cause

(8) Incident close to or above V1 resulting from or producing a hazardous or potentially hazardous situation (e.g. tail strike, engine power loss, rejected take-off etc.)

(9) Go-around/Missed Approach producing a hazardous or potentially hazardous situation including rejected landing

(10) Unintentional significant deviation from airspeed, intended track or altitude (more than 300ft) from any cause

(11) Descent below decision height/altitude or minimum descent height/altitude without the required visual reference

(12) Loss of position awareness relative to actual position or to other aircraft

(13) Breakdown in communication between flight crew (CRM) or between Flight crew and other parties (cabin crew, ATC, engineering)

(14) Heavy/hard landing - a landing deemed to require a 'heavy landing check'

(15) Exceedance of fuel imbalance limits

(16) Incorrect setting of an SSR code or of an altimeter subscale

(17) Incorrect programming of, or erroneous entries into, equipment used for navigation or performance calculations, or use of incorrect data

(18) Incorrect receipt or interpretation of radiotelephony messages

(19) Fuel system malfunctions or defects, which had an effect on fuel supply and/or distribution

(20) Aircraft unintentionally departing a paved surface

(21) Collision between an aircraft and any other aircraft, vehicle or other ground object

(22) Inadvertent and/or incorrect operation of any controls

(23) Inability to achieve the intended aircraft configuration for any flight phase (e.g. landing gear and doors, flaps, stabilisers, slats etc.

(24) A hazard or potential hazard which arises as a consequence of any deliberate simulation of failure conditions for training, system checks or training purposes

(25) Abnormal vibration

(26) Operation of any primary warning system associated with manoeuvring of the aircraft e.g. configuration warning, stall warning (stick shake), over speed warning etc.unless:

(a) the crew conclusively established that the indication was false.

(b) provided that the false warning did not result in difficulty or hazard arising from the crew response to the warning; or

(c) operated for training or test purposes.

(27) GPWS/TAWS ‘warning’ when:

(a) the aircraft comes into closer proximity to the ground than had been planned or anticipated; or

(b) the warning is experienced in IMC or at night and is established as having been triggered by a high rate of descent; or

(c) the warning results from failure to select landing gear or landing flap by the appropriate point on the approach; or

(d) any difficulty or hazard arises or might have arisen as a result of crew response to the 'warning' e.g. possible reduced separation from other traffic. This could include warning of any Mode or Type i.e. genuine, nuisance or false.

(28) GPWS/TAWS 'alert' when any difficulty or hazard arises or might have arisen as a result of crew response to the 'alert'

(29) TCAS/ ACAS RA's:

(30) **Note: While submitting a MOR, *the operator shall indicate if any assistance is required from Oman ATS in coordinating the incident with foreign ATS Authority or CAA.*

(31) Jet or prop blast incidents resulting in significant damage or serious injury

(32) Taxiway incursion/Runway incursion, any occurrence unauthorized presence on a taxiway of an aircraft, vehicle, person or object that creates a collision hazard or results in a potential loss of separation

(33) Laser or high intensity directional light incidents

(34) Unstable approach reported by pilots or analysed through FDM programme. If the occurrence reported by a pilot requires confirmation through a Flight Data Monitoring analysis (CAR-OPS 1 and CAR-OPS 3).

B. Emergencies

(1) Fire, explosion, smoke or toxic or noxious fumes, even though fires were extinguished.

(2) The use of any non-standard procedure by the flight or cabin crew to deal with an emergency when:

(a) the procedure exists but is not used; or

(b) a procedure does not exist; or

(c) the procedure exists but is incomplete or inappropriate; or

(d) the procedure is incorrect; or

(e) the incorrect procedure is used.

(3) Inadequacy of any procedures designed to be used in an emergency, including when being used for maintenance, training or test purposes.

(4) An event leading to an emergency evacuation.

(5) Depressurization.

(6) The use of any emergency equipment or prescribed emergency procedures in order to deal with a situation.

(7) An event leading to the declaration of an emergency ('Mayday' or 'PanPan').

(8) Failure of any emergency system or equipment, including all exit doors and lighting, to perform satisfactorily, including when being used for maintenance, training or test purposes.

(9) Events requiring any emergency use of oxygen by any crewmember.

C. Crew Incapacitation

(1) Incapacitation of any member of the flight crew, including that which occurs prior to departure if it is considered that it could have resulted in incapacitation after take-off.

(2) Incapacitation of any member of the cabin crew, which renders them unable to perform essential emergency duties.

D. Aircrew Fatigue

(1) A physiological state of reduced mental or physical performance capability resulting from sleep loss or extended wakefulness, circadian phase, or workload (mental and/or physical activity) that can impair a crew member's alertness and ability to safely operate an aircraft or perform safety related duties and complying with criteria of Note 5.

(2) Fatigue is a major human factors hazard because it affects most aspects of a crewmember's ability to do their job. It therefore has implications for safety.

(3) For example, crew member reports on fatigue due to an incident happened on the aircraft and it is believed that fatigue is considered to be the main reason for the occurrence of such incident.

E. Injury

An incident, which have or could have led to significant injury to passengers or crew but which are not considered reportable as an accident under Annex 13.

F. Meteorology

(1) A lightning strike, which resulted in damage to the aircraft or loss or malfunction of any essential service.

(2) A hail strike, which resulted in damage to the aircraft or loss or malfunction of any essential service.

(3) Severe turbulence encounters resulting in injury to occupants or deemed to require a 'turbulence check' of the aircraft (exceeding structural limits of the airframe).

(4) A wind shear encounter.

(5) Icing encounter resulting in handling difficulties, damage to the aircraft or loss or malfunction of any essential service.

G. Security

(1) Unlawful interference with the aircraft including a bomb threat or hijack.

(2) Difficulty in controlling intoxicated, violent or unruly passengers.

(3) Any other incident of any type considered to have endangered or which might have endangered the aircraft or its occupants on board the aircraft or on the ground.

H. Other Occurrences

(1) Repetitive instances of a specific type of occurrence which in isolation would not be considered

"reportable" but which due to the frequency with which they arise, form a potential hazard.

(2) A bird strike, which resulted in damage to the aircraft or loss or malfunction of any essential service.

(3) All wake-turbulence encounters, regardless of the effect on the aircraft, shall be reported via the MOR reporting scheme. Severe encounters, meeting the definition of an occurrence, e.g. involving max control input, high angles of pitch/bank, the need to 'go-around' etc. shall also be immediately reported to the controlling authority.

(4) Targeting of an aircraft with a laser or high-powered light.

(5) Any other occurrence of any type considered to have endangered or which might have endangered the aircraft or its occupants on board the aircraft or persons on the ground.

2. AIRCRAFT TECHNICAL

A. Structural

Not all structural failures need to be reported. Engineering judgement is required to decide whether a failure is serious enough to be reported. The following examples can be taken into consideration:

(1) Damage to a Principal Structural Element that has not been qualified as damage tolerant (life limited element). Principal Structural Elements are those which contribute significantly to carrying flight, ground, and pressurisation loads, and whose failure could result in a catastrophic failure of the aircraft. e.g. Typical examples of such elements are listed for large aeroplanes in EASA AMC to CS25 "damage tolerance and fatigue evaluation of structure" and in equivalent AMC material for rotorcraft.

(2) Defect or damage exceeding admissible damages to a Principal Structural Element that has been qualified as damage tolerant.

(3) Damage to or defect exceeding allowed tolerances of a structural element which failure could reduce the structural stiffness to such an extent that the required flutter, divergence or control reversal margins are no longer achieved.

(4) Damage to or defect of a structural element, which could result in the liberation of items of mass that may injure occupants of the aircraft.

(5) Damage to or defect of a structural element, which could jeopardize proper operation of systems. See paragraph B. below

(6) Loss of any part of the aircraft structure in flight.

B. Systems

The following generic criteria applicable to all systems are proposed:

(1) Loss, significant malfunctions or defects of any system, sub-system or set of equipment when standard operating procedures, drills etc. could not be satisfactorily accomplished.

(2) Inability of the crew to control the system, e.g.:

(a) Significant interference with normal control of the aircraft or degradation of flying qualities including surface vibration felt by crew;

(b) incorrect and or incomplete response, including limitation of movement or stiffness;

(c) run away control surface;

(d) Mechanical disconnection or failure.

(3) Failure or malfunction of the exclusive function(s) of the system (one system could integrate several functions).

(4) Interference within or between systems.

(5) Failure or malfunction of the protection device or emergency system associated with the system.

(6) Loss of redundancy of the system.

(7) Any incident resulting from unforeseen behaviour of a system.

(8) For aircraft types with single main systems, sub-systems or sets of equipment:

(9) Loss, significant malfunctions or defects in any main system, sub-system or set of equipment.

(10) For aircraft types with multiple independent main systems, sub-systems or sets of equipment:

(11) The loss, significant malfunctions, or defects of more than one main system, sub-system or set of equipment

(12) Operation of any primary warning system associated with aircraft systems or equipment unless the crew conclusively established that the indication was false provided that the false warning did not result in difficulty or hazard arising from the crew response to the warning.

(13) Leakage of hydraulic fluids, fuel, oil or other fluids, which resulted in a fire hazard or possible hazardous contamination of aircraft structure, systems or equipment, or risk to occupants.

(14) Malfunction or defect of any indication system when the possibility of misleading indications to the crew could result in an inappropriate crew action on an essential system.

(15) Any failure, malfunction or defect if it occurs at a critical phase of flight and relevant to the operation of that system.

(16) Incidents of significant shortfall of the actual performances compared to the approved performance which resulted in a hazardous situation (taking into account the accuracy of the performance calculation method) including braking action, fuel consumption etc.

(17) Asymmetry of flight controls; e.g. flaps, slats, spoilers etc.

C. Propulsion (including Engines, Propellers and Rotor Systems) and APUs

(1) Flameout, shutdown or malfunction of any engine.

(2) Over speed or inability to control the speed of any high speed rotating component (e.g.: Auxiliary power unit, air starter, air cycle machine, air turbine motor, propeller or rotor).

(3) Failure or malfunction of any part of an engine or power plant resulting in any one or more of the following;

(a) Non-containment of components/debris;

(b) Un-controlled internal or external fire, or hot gas breakout;

(c) Thrust in a different direction from that demanded by the pilot;

(d) Thrust reversing system failing to operate or operating inadvertently;

(e) Inability to control power, thrust or rpm;

(f) Failure of the engine mount structure;

(g) Partial or complete loss of a major part of the powerplant;

(h) Dense visible fumes or concentrations of toxic products sufficient to incapacitate crew or passengers;

(i) Inability, by use of normal procedures, to shut down an engine;

(j) Inability to restart a serviceable engine.

(4) An un-commanded thrust/power loss, change or oscillation which is classified as a loss of thrust or power control (LOTC):

(a) For a single engine aircraft; or

(b) Where it is considered excessive for the application, or

(c) Where this could affect more than one engine in a multi-engine aircraft, particularly in the case of a twin-engine aircraft; or

(d) For a multi-engine aircraft where the same, or similar, engine type is used in an application where the event would be considered hazardous or critical.

(5) Any defect in a life-controlled part, causing retirement of before completion of its full life.

(6) Defects of common origin, which could cause an in-flight shut down rate so high that there is the possibility of more than one engine being shut down on the same flight.

(7) An engine limiter or control device failing to operate when required or operating inadvertently.

(8) Exceedance of engine parameters.

(9) FOD resulting in damage.

(10) Propellers and -transmission

Failure or malfunction of any part of a propeller or power plant resulting in any one or more of the following:

(a) An over speed of the propeller;

(b) The development of excessive drag;

(c) A thrust in the opposite direction to that commanded by the pilot;

(d) A release of the propeller or any major portion of the propeller;

(e) A failure that results in excessive unbalance;

(f) The unintended movement of the propeller blades below the established minimum in- flight low-pitch position;

(g) An inability to feather the propeller;

(h) An inability to command a change in propeller pitch;

(i) An un-commanded change in pitch;

(j) An uncontrollable torque or speed fluctuation;

(k) The release of low energy parts.

(11) Rotors and-transmission

(a) Damage or defect of main rotor gearbox/ attachment, which could lead to in-flight separation of the rotor assembly, and / or modifications of the rotor control.

(b) Damage to tail rotor, transmission and equivalent systems.

(12) APUs

(a) Shut down or failure when the APU is required to be available by operational requirements, e.g. ETOPS, MEL.

(b) Inability to shut down the APU.

(c) Over speed.

(d) Inability to start the APU when needed for operational reasons.

D. Other Reportable Incidents to Specific Systems

The following subparagraphs give examples of reportable incidents resulting from the application of the generic criteria to specific systems:

(1) Air conditioning/ventilation

(a) Complete loss of avionics cooling;

(b) Depressurisation

(2) Auto-flight system

(a) Failure of the auto-flight system to achieve the intended operation while engaged

(b) Significant reported crew difficulty to control the aircraft linked to auto-flight system functioning

(c) Failure of any auto-flight system disconnect device

(d) Un-commanded auto-flight mode change

(3) Communications

(a) Failure or defect of Passenger Address System resulting in loss or inaudible passenger address;

(b) Total loss of communication in flight.

(4) Electrical system

(a) loss of one electrical system distribution system (AC or DC)

(b) total loss or loss or more than one electrical generation system

(c) failure of the back-up (emergency) electrical generating system

(5) Cockpit/Cabin/Cargo

(a) Pilot seat control loss during flight;

(b) Failure of any emergency system or equipment, including emergency evacuation signaling system, all exit doors, emergency lighting, etc.;

(c) Loss of retention capability of the cargo loading system.

(6) Fire protection system

(a) Fire warnings, except those immediately confirmed as false;

(b) Undetected failure or defect of fire/smoke detection/protection system, which could lead to loss or reduced fire detection/protection;

(c) Absence of warning in case of actual fire or smoke.

(7) Fuel system

(a) fuel quantity indicating system malfunction resulting in total loss or erroneous indicated fuel quantity on board;

(b) leakage of fuel which resulted in major loss, fire hazard, significant contamination;

(c) malfunction or defects of the fuel jettisoning system which resulted in inadvertent loss of significant quantity, fire hazard, hazardous contamination of aircraft equipment or inability to jettison fuel;

(d) fuel system malfunctions or defects which had a significant effect on fuel supply and/or distribution;

(e) inability to transfer or use total quantity of usable fuel;

(8) Hydraulics

(a) loss of one hydraulic system (ETOPS only)

(b) failure of the isolation system to operate

(c) loss of more than one hydraulic circuits

(d) failure of the backup hydraulic system

(e) inadvertent Ram Air Turbine extension

(9) Ice detection/protection system

(a) undetected loss or reduced performance of the anti-ice/de-ice system

(b) loss of more than one of the probe heating systems

(c) inability to obtain symmetrical wing de icing

(d) abnormal ice accumulation leading to significant effects on performance or handling qualities

(e) crew vision significantly affected

(10) Indicating/warning/recording systems

(a) loss of a red warning function on a system

(b) For glass cockpits: loss or malfunction of more than one display unit or computer involved in the display/warning function.

(11) Landing gear system /brakes/tyres

(a) Brake fire

(b) Significant loss of braking action

(c) Unsymmetrical braking leading to significant path deviation

(d) Failure of the L/G free fall extension system (including during scheduled tests)

(e) Unwanted gear or gear doors extension/retraction

(f) Multiple tyres burst

(12) Navigation systems (including precision approaches system) and air data systems

(a) Total loss or multiple navigation equipment failures;

(b) Total failure or multiple air data system equipment failures;

(c) Significant misleading indication;

(d) Significant navigation errors attributed to incorrect data or a database coding error;

(e) Unexpected deviations in lateral or vertical path not caused by pilot input;

(f) Problems with ground navigational facilities leading to significant navigation errors not associated with transitions from inertial navigation mode to radio navigation mode.

(13) Oxygen

(a) for pressurised aircraft: loss of oxygen supply in the cockpit;

(b) loss of oxygen supply to a significant number of passengers (more than 10%), including when found during maintenance or training or test purposes.

(14) Bleed air system

(a) Hot bleed air leak resulting in fire warning or structural damage;

(b) Loss of all bleed air systems;

(c) Failure of bleed air leak detection system.

(15) Any other that could be related to system/component for Special Operations Approval granted by the CAA (e.g. AWO, RVSM, etc.)

***Note: Items/events not included in the MOR form, shall be marked as "Other" followed by short description in the narrative column.*

E. Human Factors

(1) Any incident where any feature or inadequacy of the aircraft design could have led to an error of use that could contribute to a hazardous or catastrophic effect.

F. Other Occurrences

(1) Any incident where any feature or inadequacy of the aircraft design could have led to an error of use that could contribute to a hazardous or catastrophic effect.

(2) An incident not normally considered as reportable (for example, furnishing and cabin equipment, water systems), where the circumstances resulted in endangering of the aircraft or its occupants.

(3) A fire, explosion, smoke or toxic or noxious fumes.

(4) Any other event which could affect the safety of the aircraft/occupants of the aircraft, or people or property in the vicinity of the aircraft or on the ground.

(5) Failure or defect of passenger address system resulting in loss or inaudible passenger address system.

3. AIRCRAFT MAINTENANCE AND REPAIR

(1) Incorrect assembly of parts or components of the aircraft found during an inspection or test procedure not intended for that specific purpose.

(2) Hot bleed air leak resulting in structural damage.

(3) Any defect in a life-controlled part, causing retirement before completion of its full life.

(4) Any damage or deterioration (i.e. fractures, cracks, corrosion, delaminating, dis-bonding etc.) resulting from any cause (such as flutter, loss of stiffness or structural failure) to;

(a) Primary structure or a principal structural element (as defined in the manufacturers' repair manual) where such damage or deterioration exceeds allowable limits specified in the Repair Manual and requires a repair or complete or partial replacement of the element;

(b) Secondary structure which consequently has or may have endangered the aircraft;

(c) The engine, propeller or rotorcraft rotor system.

(5) Any failure, malfunction or defect of any system or equipment, or damage or deterioration found as a result of compliance with an Airworthiness Directive or other mandatory instruction issued by a Regulatory Authority, when;

(d) It is detected for the first time by the reporting organisation implementing compliance;

(e) On any subsequent compliance where it exceeds the permissible limits quoted in the instruction and/or published repair/rectification procedures are not available.

(6) Failure of any emergency system or equipment, including all exit doors and lighting, to perform satisfactorily, including when being used for maintenance or test purposes.

(7) Non-compliance or significant errors in compliance with required maintenance procedures.

(8) Suspected unapproved products, parts, appliances and materials.

(9) Misleading, incorrect or insufficient maintenance data or procedures that could lead to maintenance errors.

(10) Failure, malfunction or defect of ground equipment used for test or checking of aircraft systems and equipment when the required routine inspection and test procedures did not clearly identify the problem when this results in a hazardous situation.

4. GROUND SERVICES AND FACILITIES

A. AIR NAVIGATION SERVICES (ANS)

This list is in no way exhaustive and any occurrence which is believed to be a flight safety issue shall be reported.

***Note: Birdstrike and wildlife (BWI) reports related to events on or in the immediate vicinity of an aerodrome shall be reported according to the procedures in force at the relevant aerodrome*

B. Flight Safety Issues

Category	Description
ACAS Event	An incident where a resolution advisory event (RA) did or may have occurred
Accident	An occurrence meeting the definition of an accident contained in CAR-13.005.
AIRPROX	A situation in which, in the opinion of a pilot or air traffic services personnel, the distance between aircraft as well as their relative positions and speed have been such that the safety of the aircraft involved may have been compromised. 1. Risk of collision. The risk classification of an aircraft proximity in which serious risk of collision has existed. 2. Safety not assured. The risk classification of an aircraft proximity in which the safety of the aircraft may have been compromised. 3. No risk of collision. The risk classification of an aircraft proximity in which no risk of collision has existed. 4. Risk not determined. The risk classification of an aircraft proximity in which insufficient information was available to determine the risk involved, or inconclusive or conflicting evidence precluded such determination.
ASMI Category A	An incident in which a reduction in required ATC separation occurs where the separation remaining is 25% or less of the required minimum, regardless of whether or not corrective action or an evasive response to avoid a collision was taken.
ASMI Category B	An incident in which a reduction in required ATC separation occurs where the separation remaining is 26% up to and including 50% of the required minimum and no ATC action is taken, or the initial action to resolve the situation was determined by the pilot or ACAS.

Category	Description
ASMI Category C	An incident in which a reduction in required separation occurs where: 1. The separation remaining is 26% up to and including 50% of the required minimum and ATC resolved the situation; or The separation remaining is 51% up to and including 75% of the required minimum and no ATC action is taken, or the initial action to resolve the situation was determined by the pilot or ACAS.
ASMI Category D	An incident in which a reduction in required separation occurs where: 1. The separation remaining is 51% up to but not including 90% of the required minimum and ATC resolved the situation; or The separation remaining is 76% or more and no ATC action is taken, or the pilot or ACAS resolved the situation.
ASMI Category E	An incident in which a reduction in required separation occurs where the separation remaining is 90% or more of the required minimum and ATC resolved the situation.
Airspace Penetration (CTA/CTR/SUA) without Clearance or Approval	An incident where an aircraft enters civil or military controlled airspace or SUA without clearance or proper authorisation.
Apron Incident	An incident reported to ATC where the flight safety of an aircraft was or may have been affected on the apron area.
ATC Coordination Error	An incident where the coordination between ATC Sectors or units is not completed correctly, where the ATC coordination failure affected flight safety.
ATC Operational Issue	An incident, not resulting in any other category, where incorrect ATCO actions or ATC procedures affected, or may have affected flight safety.
ATS/AD Equipment Failure	An incident where there is a failure or irregularity of ATS or Aerodrome communication, navigation or surveillance systems or any other safety-significant systems or equipment which could adversely affect the safety or efficiency of flight operations and/or the provision of an air traffic control service.
Communications Failure	An incident where an aircraft experiences a total or partial communications failure
Deviations from ATC Clearance (not including a Level Bust)	An incident where an aircraft fails to comply with any component of an ATC clearance, excluding a cleared altitude or flight level

Category	Description
Emergency (other than Engine Failure or Fuel Shortage)	An incident, excluding an accident, security event, engine failure, fuel emergency or medical emergency, where a pilot declares an emergency, Mayday or Pan.
Engine Failure	An incident where a pilot reports he has experienced an engine failure during takeoff, in-flight or landing, or reports that he has shut down an engine due to a technical problem.
Flight Planning Error	An incident where a flight planning error has been reported which may affect the safety of a flight
FOD	An incident involving FOD detected on a runway including reported tyre bursts from aircraft which have recently operated on a runway. 1. Category A: FOD which is likely to cause damage to an aircraft on a runway or runway shoulder; 2. Category B: FOD which is likely to cause damage to an aircraft found within runway strip or RESA; 3. Category C: FOD which is likely to cause damage to an aircraft on taxiways or taxiway shoulders; 4. Category D: FOD which is likely to cause damage to an aircraft found on the taxiway strips, apron areas or elsewhere on the airfield.
Fuel Emergency	An incident where a pilot reports he is experiencing a minimum fuel situation which requires an emergency declaration.
Go-Around Event	Any go- around event, except where an aircraft intentionally goes around for training purposes.
Level Bust Category A	An incident where an aircraft deviates from an assigned level by 800 feet or more, and there was no loss of separation.
Level Bust Category B	An incident where an aircraft deviates from an assigned level by 600 or 700 feet and there was no loss of separation.
Level Bust Category C	An incident where an aircraft deviates from an assigned level by 400 or 500 feet, and there was no loss of separation.
Level Bust Category D	An incident where an aircraft deviates from an assigned level by 300 feet or less and there was no loss of separation.
Loss of Runway Separation Category A	An incident in which a reduction in required runway separation occurs where: 1. A collision is narrowly avoided; or 2. The separation remaining is 25% or less of the required minimum, regardless of whether or not corrective action or an evasive response to avoid a collision was taken.

Category	Description
Loss of Runway Separation Category B	An incident in which a reduction in required runway separation occurs where: 1. A significant potential for collision which may result in a time-critical corrective evasive response to avoid a collision; or 2. The separation remaining is 26% up to and including 50% of the required minimum, and no ATC action is taken, or; the initial action to resolve the situation was determined by the pilot.
Loss of Runway Separation Category C	An incident in which a reduction in required runway separation occurs where: 1. There is ample time or distance to avoid a potential collision; or 2. The separation remaining is 26% up to and including 50% of the required minimum, and ATC resolved the situation; or 3. The separation remaining is 51% or more of the required minimum and no ATC action is taken, or the initial action to resolve the situation was determined by the pilot.
Loss of Runway Separation Category D	An incident in which a reduction in required runway separation occurs where: 1. The separation remaining is 51% or more of the required minimum and ATC resolved the situation; or 2. An aircraft is in receipt of a landing or take-off clearance, while another aircraft is on the runway, and the initial action to resolve the situation was determined by the pilot.
LSALT/Terrain Event	An incident where an IFR aircraft is flown below a Lowest Safe Altitude (LSALT) or an ATC Minimum Radar Vectoring Altitude (MRVA)
LVP Violations	An incident where an aircraft conducts an operation when RVR, Met visibility and/or cloud base conditions are below the required approach minima or the aerodrome operator minima.

Category	Description
Manoeuvring Area Excursion	Category A: An incident in which an aircraft has an excursion from a runway – i.e. overruns, excursion off the side of the runway – resulting in damage to aircraft Category B: An incident in which an aircraft has an excursion from a taxiway – excursion off the side of the taxiway – resulting in damage to aircraft Category C: An incident in which an aircraft has an excursion from a runway – i.e. overruns, excursion off the side of the runway – resulting in no damage to aircraft Category D: An incident in which an aircraft has an excursion from a taxiway- excursion off the side of the taxiway – resulting in no damage to aircraft.
Medical Emergency	An incident where a pilot reports a medical emergency requiring a diversion or priority track or landing due to a sick or injured passenger or crew member.
Military Event	An incident where actions of a military aircraft under limited civil ATC control results in a situation where flight safety in controlled airspace is or may have been compromised.
Non-compliance with climb gradient	An incident where an aircraft fails to comply with the published minimum departure climb gradient requirement.
Operator complaint or operational issue (not resulting in any other category)	An incident involving: 1. A direct operational related complaint or query received from an operator or State; or 2. An ATC issue with an operator
Runway Incursion Category A	A serious incident in which a collision is narrowly avoided.
Runway Incursion Category B	A runway incursion in which the separation decreases and there is a significant potential for collision, which may result in a time- critical corrective/evasive response to avoid a collision. This includes a runway incursion occurring while a departing aircraft has commenced its take-off roll or an arriving aircraft has crossed the threshold.
Runway Incursion Category C	A runway incursion characterised by ample time and/or distance to avoid a collision, including a runway incursion occurring while a departing aircraft has been cleared to lineup, or cleared for take-off or an arriving aircraft has been cleared to land but has not crossed the threshold.

Category	Description
Runway Incursion Category D	A runway incursion that meets the definition of a runway incursion such as the incorrect presence of a vehicle, person or aircraft on the protected area of a surface designated for the landing and take-off of aircraft but with no immediate safety consequences.
Runway Incursion Category E	Insufficient information or inconclusive or conflicting evidence precludes a severity assessment
Runway Operation Incident	An incident occurring on a runway, where operational safety was or may have been affected, excluding a runway incursion, such as 1. an aircraft conducts an operation on a runway without proper authority, e.g. conducting a take-off or landing on an operational or closed runway without a clearance; or 2. attempting a take-off or landing from a taxiway not approved for such an operation.
Security Event	An incident involving a security event relating to an aircraft, which may adversely affect flight safety, such as a Hijack, Bomb Warning or an unruly passenger, which results in a request for a priority diversion or landing, or the attendance to an aircraft by security personnel.
Taxiway Operation Incident	An incident, excluding an actual or attempted take-off or landing on a taxiway, where an aircraft, vehicle or person operates on a taxiway in a manner where operational safety was or may have been affected, including taxiway incursion.
Technical Problem	An incident excluding a declared emergency where a pilot reports an aircraft technical problem.
Visual Hazard Report	An incident where a pilot or ATC unit becomes aware of a situation involving a light source, including laser, spotlights or pyrotechnics, where flight safety was or may have been compromised
Wake Turbulence Event	An incident relating to a pilot's report of turbulence, or its effects, from another aircraft's wake. If the incident was already reported as an ASMI then no need to report it as Wake Turbulence.

5. AERODROMES

A. Aerodrome and aerodrome facilities

(1) Significant spillage during fueling operations.

(2) Loading of incorrect fuel quantities likely to have a significant effect on aircraft endurance, performance, balance or structural strength.

(3) Failure or significant deterioration of aerodrome aircraft operating surfaces.

B. Maneuvering Areas Excursions

(1) Category A: An incident in which an aircraft has an excursion from a runway –i.e. overruns, excursion off the side of the runway – resulting in damage to aircraft

(2) Category B: An incident in which an aircraft has an excursion from a taxiway – excursion off the side of the taxiway – resulting in damage to aircraft

(3) Category C: An incident in which an aircraft has an excursion from a runway – i.e. overruns, excursion off the side of the runway – resulting in no damage to aircraft

(4) Category D: An incident in which an aircraft has an excursion from a taxiway- excursion off the side of the taxiway – resulting in no damage to aircraft.

C. FOD

An incident involving FOD detected on a runway including reported tyre bursts from aircraft which have recently operated on a runway.

(1) Category A: FOD which is likely to cause damage to an aircraft on a runway or runway shoulder;

(2) Category B: FOD which is likely to cause damage to an aircraft found within runway strip or RESA;

(3) Category C: FOD which is likely to cause damage to an aircraft on taxiways or taxiway shoulders;

(4) Category D: FOD which is likely to cause damage to an aircraft found on the taxiway strips, apron areas or elsewhere on the airfield.

D. Aircraft Damage

(1) Aircraft Damage - Category A - Destroyed – Aircraft is unlikely to ever fly again – total write off.

(2) Aircraft Damage - Category B - Substantially Damaged – Major damage that prevents the aircraft from flight until significant maintenance is undertaken.

(3) Aircraft Damage - Category C - Minor Damage – Minor damage that prevents the aircraft from immediate flight and requires some maintenance to rectify.

E. Runway Incursion

Category	Description
Runway Incursion Category A	A serious incident in which a collision is narrowly avoided.
Runway Incursion Category B	A runway incursion in which the separation decreases and there is a significant potential for collision, which may result in a time-critical corrective/evasive response to avoid a collision. This includes a runway incursion occurring while a departing aircraft has commenced its take-off roll or an arriving aircraft has crossed the threshold.
Runway Incursion Category C	A runway incursion characterised by ample time and/or distance to avoid a collision, including a runway incursion occurring while a departing aircraft has been cleared to line up, or cleared for take-off or an arriving aircraft has been cleared to land but has not crossed the threshold.
Runway Incursion Category D	A runway incursion that meets the definition of a runway incursion such as the incorrect presence of a vehicle, person or aircraft on the protected area of a surface designated for the landing and take-off of aircraft but with no immediate safety consequences.
Runway Incursion Category E	Insufficient information or inconclusive or conflicting evidence precludes a severity assessment
Runway Operation Incident (other occurrences)	An incident occurring on a runway, where operational safety was or may have been affected, excluding a runway incursion, such as 1. an aircraft conducts an operation on a runway without proper authority, e.g. conducting a take-off or landing on an operational or closed runway without a clearance; or 2. attempting a take-off or landing from a taxiway not approved for such an operation.

F. Bird and wildlife

(1) Bird and wildlife Hazard - Category A - An incident where a pilot experiences wildlife striking an aircraft resulting in significant damage to the aircraft and or requiring an aborted take- off, in-flight diversion, prioritised landing or resulting in an accident

(2) Bird and wildlife Hazard - Category B - An incident where a pilot reports an actual or potential wildlife strike, which does not result in significant damage or adversely affect the flight

(3) Bird and wildlife Hazard - Category C - An incident where dead wildlife is found on the runway when a strike has not been reported by a pilot.

G. Handling of passengers, baggage and cargo

(1) Significant contamination of aircraft structure, systems and equipment arising from the carriage of baggage or cargo.

(2) Incorrect loading of passengers, baggage or cargo, likely to have a significant effect on aircraft mass and/or balance.

(3) Incorrect stowage of baggage or cargo (including hand baggage) likely in any way to endanger the aircraft, its equipment, or occupants or to impede emergency evacuation.

(4) Inadequate stowage of cargo containers or other substantial items of cargo.

(5) Carriage or attempted carriage of dangerous goods in contravention of applicable regulations, including incorrect labelling and packaging of dangerous goods.

H. Aircraft ground handling and servicing

(1) Failure, malfunction or defect of ground equipment used for the testing or checking of aircraft systems and equipment when the required routine inspection and test procedures did not clearly identify the problem, where this results in a hazardous situation.

(2) Non-compliance or significant errors in compliance with required servicing procedures.

(3) Loading of contaminated or incorrect type of fuel or other essential fluids (including oxygen and potable water).

(4) Incorrect loading of cargo pallets onto aircraft.

(5) Medium to serious damage resulting from collision of ground servicing vehicles.

(6) Unsatisfactory ground de-icing/anti-icing.

APPENDIX E – GUIDELINES FOR FLIGHT RECORDERS

1. READ-OUT AND ANALYSIS

A. Initial Response

The aftermath of a major accident is a demanding time for any State's accident investigation authority. One of the immediate items requiring a decision is where to have the flight recorders read out and analysed. It is essential that the flight recorders be read out as early as possible after an accident. Early identification of problem areas can affect the investigation at the accident site where evidence is sometimes transient. Early identification of problem areas may also result in urgent safety recommendations which may be necessary to prevent a similar occurrence.

Many States do not have their own facilities for the playback and analysis of flight recorder information (both voice and data) and consequently request assistance from other States. It is essential, therefore, that the accident investigation authority of the State conducting the investigation make timely arrangements to read out the flight recorders at a suitable read-out facility.

B. Choice of facility

The State conducting the investigation may request assistance from any State that, in its opinion, can best serve the

Investigation. The manufacturer's standard replay equipment and playback software, which are typically used by airlines and maintenance facilities, are not considered adequate for investigation purposes. Special recovery and analysis techniques are usually required if the recorders have been damaged.

Facilities for the read-out of flight recorders shall have the ability to:

a) disassemble and read out recorders that have sustained substantial damage;

b) play back the original recording/memory module without the need for the use of a manufacturer's copy device or the recorder housing that was involved in the accident or incident;

c) manually analyse the raw binary waveform from digital tape flight data recorders;

d) enhance and filter voice recordings digitally by means of suitable software; and

e) graphically analyse data, derive additional parameters not explicitly recorded, validate the data by cross-checking and use other analytical methods to determine data accuracy and limitations.

C. Participation by the State of Manufacture (or Design) and the State of the Operator

The State of Manufacture (or Design) has airworthiness responsibilities and the expertise normally required to read out and analyse flight recorder information. Since flight recorder information can often reveal airworthiness problems, the State of Manufacture (or Design) shall have a representative present when the flight recorder read-out and analysis are being conducted in a State other than the State of Manufacture (or Design).

The State of the Operator has regulatory responsibilities regarding the flight operation and can provide insights into operational issues which may be specific to the operator. Since flight recorder information can

reveal operational problems, the State of the Operator shall also have a representative present when the flight recorder read-out and analysis are being conducted.

D. Recommended procedures

The flight data recorder and the cockpit voice recorder shall be read out by the same facility, because they contain complementary data which can help validate each recording and aid in determining timing and synchronization.

Flight recorders shall not be opened or powered up and original recordings shall not be copied (particularly not by high-speed copy devices) prior to the read-out because of the risk of damage to the recordings.

The facility at which the flight recorders are read out for another State shall be given an opportunity to comment on the Final Report in order to ensure that the characteristics of the flight recorder analysis have been taken into account.

The facility at which the flight recorders are read out may require the expertise of the aircraft manufacturer and the operator in order to verify the calibration data and validate the recorded information.

The State conducting the investigation may leave the original recordings, or a copy of them, with the read-out facility until the investigation is completed, in order to facilitate the timely resolution of additional requests or clarifications, providing that the facility has adequate security procedures to safeguard the recordings

APPENDIX F – GUIDANCE FOR THE DETERMINATION OF AIRCRAFT DAMAGE

(1) If an engine separates from an aircraft, the event is categorized as an accident even if damage is confined to the engine.

(2) A loss of engine cowls (fan or core) or reverser components which does not result in further damage to the aircraft is not considered an accident.

(3) Occurrences where compressor or turbine blades or other engine internal components are ejected through the engine tail pipe are not considered an accident.

(4) A collapsed or missing radome is not considered an accident unless there is related substantial damage in other structures or systems.

(5) Missing flap, slat and other lift augmenting devices, winglets, etc., that are permitted for dispatch under the configuration deviation list (CDL) are not considered to be an accident.

(6) Retraction of a landing gear leg, or wheels-up landing, resulting in skin abrasion only. If the aircraft can be safely dispatched after minor repairs, or patching, and subsequently undergoes more extensive work to effect a permanent repair, then the occurrence would not be classified as an accident.

(7) If the structural damage is such that the aircraft depressurizes, or cannot be pressurized, the occurrence is categorized as an accident.

(8) The removal of components for inspection following an occurrence, such as the precautionary removal of an undercarriage leg following a low-speed runway excursion, while involving considerable work, is not considered an accident unless significant damage is found.

(9) Occurrences that involve an emergency evacuation are not counted as an accident unless someone receives serious injuries or the aircraft has otherwise sustained significant damage.

***Note 1: Regarding aircraft damage which adversely affects the structural strength, performance or flight characteristics, the aircraft may have landed safely, but cannot be safely dispatched on a further sector without repair.*

***Note 2: If the aircraft can be safely dispatched after minor repairs and subsequently undergoes more extensive work to effect a permanent repair, then the occurrence would not be classified as an accident.*

***Note 3: Likewise, if the aircraft can be dispatched under the CDL with the affected component removed, missing or inoperative, the repair would not be considered as a major repair and consequently the occurrence would not be considered an accident.*

***Note 4: The cost of repairs, or estimated loss, such as provided by insurance companies may provide an indication of the damage sustained but shall not be used as the sole guide as to whether the damage is sufficient to count the occurrence as an accident. Likewise, an aircraft may be considered a "hull loss" because it is uneconomic to repair, without it having incurred sufficient damage to be classified as an accident.*

APPENDIX G – INVESTIGATION DELEGATION AGREEMENTS

In accordance with ANNEX13 paragraph 5.1, the State of Occurrence is responsible for instituting and conducting an investigation, but it may delegate the whole or any part of the conducting of such investigation to another State or a regional accident and incident investigation organization (RAIO) by mutual arrangement and consent. Similarly, delegation of the conducting of an investigation can take place when a State is required to institute an investigation of accidents or serious incidents occurring in the territory of a non-Contracting State that does not intend to conduct an investigation in accordance with Annex 13, or when the location of the accident or serious incident cannot definitely be established as being in the territory of any State.

Entering into an investigation delegation agreement normally begins with a decision made by the State responsible for instituting and conducting the investigation. In general, such a State may consider delegating the conducting of the investigation to another State or RAIO, in particular for those situations when it might be beneficial or more practical for the selected State or RAIO to conduct the investigation, or when the State responsible for instituting the investigation lacks the resources or capability to investigate the occurrence in accordance with Annex 13.

Depending on the parties involved in the investigation, the scope of the investigation to be conducted by another State or RAIO would determine whether a formal investigation delegation agreement is required, or if a mutual understanding would suffice. In general, delegation of the whole investigation requires a formal investigation delegation agreement. In the case of delegation of part of the investigation, a formal delegation agreement would be at the discretion of the two parties.

When the whole investigation is delegated to another State or an RAIO, such State or RAIO is expected to be responsible for the conduct of the investigation, including the issuance of the Final Report and the ADREP reporting. When a part of the investigation is delegated, the delegating State usually retains the responsibility for the conduct of the investigation, including the issuance of the Final Report and the ADREP reporting. In any event, the delegating State shall use every means to facilitate the investigation.

It is important to differentiate between the institution and the conduct of an investigation in terms of the triggering and terminating events of each function. *Instituting* the investigation begins from the time the accident investigation authority is informed about the accident or incident, and forwards the official notification of the occurrence to concerned States and to ICAO as required in paragraph 4.1. *Conducting* the investigation is the function of performing an investigation in accordance with Annex 13, and issuing reports including the Final Report.

It is important that the investigation delegation agreement achieves the purpose of the investigation and maintains conformity with the requirements of Annex 13. Therefore, the parties to the agreement shall ensure that the responsibility of each party is clearly defined. The contents and details of the agreement depend on the scope of the delegation.

Note: The Manual of Aircraft Accident and Incident Investigation, Part I — Organization and Planning (Doc 9756), Chapter 2, contains guidance material on the delegation of investigations and a model delegation agreement.

APPENDIX H – NOTIFICATION AND REPORTING CHECKLIST

Note: In this checklist, the following terms have the meaning indicated below:

- *— International occurrences: accident, serious incidents and incidents occurring in the territory of a Contracting State to aircraft registered in another Contracting State.*
- *— Domestic occurrences: accidents and serious incidents occurring in the territory of the State of Registry.*
- *— Other occurrences: accidents and serious incidents occurring in the territory of a non-Contracting State, or outside the territory of any State.*

1. NOTIFICATION — ACCIDENTS, SERIOUS INCIDENTS AND INCIDENTS TO BE INVESTIGATED

From	*For*	*Send to*	*Annex 13 reference*
State of Occurrence	*International occurrences: All aircraft*	*State of Registry* *State of the Operator* *State of Design* *State of Manufacture* *ICAO (when aircraft over 2 250 kg or is a turbojet-powered aeroplane)*	*4.1*
State of Registry	*Domestic and other occurrences: All aircraft*	*State of the Operator* *State of Design* *State of Manufacture* *ICAO (when aircraft over 2 250 kg or is a turbojet-powered aeroplane)*	*4.8*

2. FINAL REPORT

Accidents and incidents wherever they occurred

From	*Type of report*	*Concerning*	*Send to*	*Annex 13 reference*
State conducting the investigation	*FINAL REPORT*	*All aircraft*	*State instituting the investigation* *State of Registry* *State of the Operator* *State of Design* *State of Manufacture* *Other States participating in the investigation* *State having suffered fatalities or serious injuries to its citizens* *State providing information, significant facilities or experts*	*6.4*
		Aircraft over 5700 kg	*ICAO*	*6.7*

3. ADREP REPORT

Accidents and incidents wherever they occurred

From	*Type of report*	*Concerning*	*Send to*	*Annex 13 reference*
State conducting the investigation	*PRELIMINARY REPORT*	*Accidents to aircraft over 2250 kg*	*State of Registry or State of Occurrence State of the Operator State of Design State of Manufacture State providing information, significant facilities or experts ICAO*	*7.1*
		Accidents to aircraft of 2250 kg or less if airworthiness or matters of interest are involved	*Same as above, except ICAO*	*7.2*
	ACCIDENT DATA REPORT	*Accidents to aircraft over 2250 kg*	*ICAO*	*7.5*
	INCIDENT DATA REPORT	*Incidents to aircraft over 5700 kg*	*ICAO*	*7.7*

4. ACCIDENT PREVENTION MEASURES

Safety matters of interest to other States

From	*Type*	*Concerning*	*Send to*	*Annex 13 reference*
States making safety recommendations	*Safety recommendations*	*Recommendations made to another State*	*Accident investigation authority in that State*	*6.8 8.3*
		ICAO documents	*ICAO*	*6.9*