

REPORTING OF ACCIDENTS, SERIOUS INCIDENTS AND OCCURRENCES

This regulation has been issued by virtue of the Finnish Aviation Act (1242/2005), Sections 123 and 128, and taking into account Annexes 6 and 13 to the Convention on International Civil Aviation, Council Directive 94/56/EC establishing the fundamental principles governing the investigation of civil aviation accidents and incidents, and Directive 2003/42/EC of the European Parliament and of the Council on occurrence reporting in civil aviation.

1. APPLICABILITY

Any accidents, serious incidents and occurrences in civil aviation within the Finnish territory shall be reported in accordance with this regulation. The regulation also applies to aviation outside Finland with Finnish aircraft or under an Air Operator Certificate issued in Finland.

Note: In operations in accordance with EC Regulation 2042/2003 (Maintenance Regulation), 1702/2003 (Certification Regulation) or JAR-OPS requirements, this regulation shall be complied with as far as other provisions on reporting are not given in the above mentioned regulations.

2. DUTY TO REPORT

All incidents in which flight safety was endangered or may have been endangered shall be reported in accordance with this regulation. If it is unclear whether the incident needs to be reported, a report shall always be filed.

Any report submitted within the air operator's internal quality or safety management system will not remove the obligation to file a report in accordance with this regulation.

Where the air operator knows about an incident which must be reported in accordance with this regulation, and it is not certain whether a report has already been filed, the air operator shall submit such a report to the Finnish Civil Aviation Authority without delay.

Reporting in accordance with this regulation will not remove the reporter's and operator's obligation to take any necessary corrective action to prevent similar incidents from recurring.

Wherever possible, any other persons involved in the incident shall be notified of the intention to file a report.

Note: Provisions on the exchange and use of occurrence information are given in Sections 130 and 131 of the Aviation Act.

3. REPORTING OF ACCIDENTS AND SERIOUS INCIDENTS

3.1 Pilot-in-command

The pilot-in-command shall, without delay, report any accident or serious incident to the appropriate air traffic services unit and to the Accident Investigation Board, Finland. The report to the air traffic services unit shall be made on the appropriate radio frequency or by telephone, and to the Accident Investigation Board by telephone.

The Finnish Civil Aviation Authority shall be notified of the accident or incident in writing as soon as possible. Whenever practicable, the written report to the Civil Aviation Authority should be submitted e.g. by fax, to ensure rapid transfer of the information.

The report submitted to the air traffic services unit in flight shall contain all essential information about the incident. Situation permitting, the report shall also contain information on any dangerous goods carried.

3.2 Air Traffic Controllers and Flight Information Service Officers

Where an air traffic controller or flight information service officer knows about an accident or serious incident, he/she shall immediately report it to the area control unit within his/her area of responsibility, which in turn shall report it to the Accident Investigation Board and Finnish Civil Aviation Authority without delay. The area control unit shall ensure that the Civil Aviation Authority also receives a written report of the incident.

3.3. Persons in other flight safety-related duties

When anyone in other flight safety-related duties notices an accident or serious incident, he/she shall immediately report it to the appropriate air traffic services unit and submit a written report to the Finnish Civil Aviation Authority.

Note: A list of examples of serious incidents is contained in Appendix 1 to this regulation. Contact details of the Accident Investigation Board and the Finnish Civil Aviation Authority are given in Appendix 2 to this regulation.

4. HAZARDOUS CONDITIONS

The appropriate air traffic services unit shall be immediately notified whenever potentially hazardous conditions, such as birds or flocks of birds in the airport area or in its vicinity, irregularities in ground or navigational facilities, hazardous weather conditions, volcanic ash clouds or high levels of radiation, are encountered during flight or otherwise detected.

5. REPORTING OF OCCURRENCES

The Finnish Civil Aviation Authority shall be notified of any incidents, interruptions, defects, errors or other exceptional circumstances (occurrences) related to aircraft operations, maintenance, repair or manufacture, or to airport operations or air navigation services, which endanger, or without corrective actions would endanger the safety of the aircraft, its occupants or any other persons.

The report shall be made as soon as possible, but at least within 72 hours of the incident, unless exceptional circumstances prevent this.

Note: Examples of reportable occurrences related to aircraft operations, maintenance, repair, manufacture, or air navigation services are listed in Annexes 1 and 2 to Directive 2003/42/EC of the European Parliament and of the Council on occurrence reporting in civil aviation.

The obligation to report applies to the following:

- pilot-in-command, aircraft operator and aircraft possessor;
- holder of any licence or approval for aviation operations;

- anyone who carries out duties for which permission to act as an air traffic controller or flight information services officer is required;
- anyone who performs other flight safety-related duties, is employed by an aviation operator, has been appointed as nominated postholder or works in airport administrative or management duties;
- anyone who carries out aircraft ground handling duties, including refuelling, servicing, loadsheet preparation, loading, de-icing and towing;
- anyone who carries out duties related to planning, manufacture, maintenance or modification of an aircraft or aircraft component;
- anyone who signs airworthiness review certificates or maintenance release certificates for aircraft or aircraft components;
- anyone who carries out duties related to installation, modification, maintenance, repair, overhaul, calibration or inspection of aircraft navigational aids;
- anyone performing other comparable duties.

6. REPORTING FORMS

A written report of an accident, serious incident or occurrence shall be made using the Finnish Civil Aviation Authority's form "Report of an accident, serious incident or occurrence" (LU3626) or "Malfunction or defect report" (LU3323). The forms are available in the Finnish, Swedish and English languages from the Finnish Civil Aviation Authority's head office, airports and CAA Finland's website (http://www.civilaviationauthority.fi/occurrence_reporting). The report can also be submitted on another form approved by the Finnish Civil Aviation Authority. In exceptional cases, where a specific form is not available, the report can be made in free form.

Any written report addressed to the Finnish Civil Aviation Authority shall contain the reporter's name and contact details, so that the CAA can acknowledge receipt of the report and, where necessary, request further information about the incident.

If the task of filing the reports to the Finnish Civil Aviation Authority has been assigned to a certain entity within the operator's organisation, the reporter need not submit the report personally. In this case, the operator shall use a system for ensuring that the obligation to report in accordance with this regulation is fulfilled.

7. ENTRY INTO FORCE

This regulation enters into force on 1 October 2006 and revokes Aviation Regulation GEN M1-4, issued 24 June 1999.
