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Implemented legislation/international agreement/recommendation/standard: Regulation (EU) No 996/2010 of the European Parliament and of the Council on the investigation and prevention of accidents and incidents in civil aviation Regulation (EU) No 376/2014 of the European Parliament and of the Council on the reporting, analysis and follow-up of occurrences in civil aviation Convention on International Civil Aviation (Finnish Treaty Series 11/1949), Annex 6 and 13 Act on the Transport of Dangerous Goods (719/1994, issued 2 August 1994), also considering the Decree on the Transport of Dangerous Goods by Air (210/1997, issued 11 March 1997) and Annex 18 to the Convention on International Civil Aviation			
Modification details: This Circular replaces Aviation Regulation GEN M1-4, Reporting of accidents, serious incidents and occurrences in aviation (TRAFI/10658/03.04.00.00/2013, 19 May 2014), which has been revoked, and the section on reporting in Aviation Regulation OPS M1-18, Transport of dangerous goods by air (TRAFI/8082/03.04.00.00/2012, 8 November 2012). Revision 2.0: Specification on filing an occurrence report. Reporting by private pilots. Revision 3.0: Specifications on filing occurrence reports. Q&A, updated www links. Revision 3.1: Address for secured e-mail.			

REPORTING OF ACCIDENTS, SERIOUS INCIDENTS AND OCCURRENCES IN AVIATION

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The purpose of this Advisory Circular is to describe the specific procedures and instructions to be followed in the reporting, analysis and follow-up of occurrences in Finland.

1 REPORTING OF ACCIDENTS AND SERIOUS INCIDENTS

1.1 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 Safety Investigation Authority, Finland. The report to the air traffic services unit shall be made on the relevant radio frequency or by telephone, and to the Safety Investigation Authority by telephone.

A report to the Finnish Transport Safety Agency (Trafi) shall be submitted as soon as possible after the incident.

The report submitted to the air traffic services unit in-flight shall contain any information about the incident that is considered essential. If the situation permits, the report shall also contain information on any dangerous goods carried.

1.2 Air traffic controllers and flight information service officers

If an air traffic controller or flight information service officer gains knowledge of 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 without delay. A report to Trafi shall be submitted as soon as possible after the incident.

1.3 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. A report to Trafi shall be submitted as soon as possible after the incident.

Note: A list of examples of serious incidents is contained in Appendix 1 to this Circular. Contact details of the Accident Investigation Board and Trafi are given in Appendix 2 to this Circular.

2 REPORTING OF OCCURRENCES

The persons listed in section 1 above shall notify Trafi also of any occurrences other than accidents and serious incidents. Such other occurrences mean any events that endanger, or without intervention or processing may endanger, the safety of the aircraft, its occupants or other persons.

3 SUBMITTING A REPORT

An accident, serious incident or occurrence shall be reported to Trafi using the electronic form "Report of an accident, serious incident or occurrence" (LU3626). Staff in aviation organisations should preferably report through their own organisation's safety management system. The report must be submitted within 72 hours of the incident or observation.

The electronic form is available in Finnish and English on Trafi's website

<https://www.trafi.fi/en/aviation>

Direct link to the form:

(http://www.suomi.fi/suomifi/english/eservices/forms/trafi_lu3626/index.html).

When agreed beforehand, an organisation may also submit the report using Trafi's data transfer interface, within 72 hours of having been informed of the event.

4 VOLUNTARY REPORTING SYSTEM

In accordance with section 126 of the Aviation Act, the same principles and procedures as for mandatory reports shall be followed when submitting reports to Trafi under the voluntary reporting system.

5 OCCURRENCE ANALYSIS

Organisations making analyses as referred to in Article 13 of the EU Regulation on occurrence reporting shall submit them to Trafi (contact details for the Traffic Analysis Unit are provided in Appendix 2).

The analysis must contain at least the following information:

- Status of the analysis (preliminary/final)
- File number(s) in the company's own system
- Conclusions
- Preventive actions
- Follow-up plan

Analyses of individual occurrences shall be submitted to Trafi in a preliminary form within 1 month and in the final form within 3 months of the event.

For thematic analyses, the time limits are calculated from the date when it was decided that an analysis is necessary. Trafi may also request individual or thematic analyses.

6 PROTECTION OF THE REPORTER AND JUST CULTURE

6.1 Protection of the reporter

In accordance with Article 16 of the EU Regulation on occurrence reporting, employees and contracted personnel who report or are mentioned in occurrence reports shall not be subject to any prejudice by their employer or by the organisation for which the services are provided on the basis of the information supplied by the reporter.

6.2 Appeal body

In accordance with Article 16 of the EU Regulation on occurrence reporting, each member state shall designate a body where employees and contracted personnel may report any alleged infringements of the rules concerning the protection of reporters and just culture. In Finland, this body is Trafi's Transport Law Unit. Employees and contracted personnel shall not be penalised or otherwise sanctioned for reporting alleged infringements.

The appeal body is composed of Trafi's legal advisers specialised in aviation.

7 REPORTING OF DANGEROUS GOODS OCCURRENCES

7.1 Provision of information after an aviation accident or incident involving dangerous goods

Accident and incident reports as referred to in Section 19(1) and 19(2) of the Decree on the Transport of Dangerous Goods by Air shall contain information on any dangerous goods carried as cargo in the aircraft, which the transport operator has provided in writing to the aircraft commander before the flight.

7.2 Provision of information after a dangerous goods accident or incident

Accident and incident reports as referred to in Section 19(3) of the Decree on the Transport of Dangerous Goods by Air shall be made in accordance with section 2 of this Circular. Events must be reported irrespective of whether the dangerous goods were contained in cargo, mail, passengers' baggage or crew baggage. The report shall be dispatched to the competent authorities without delay, but in any case within 72 hours of the event.

The report shall include the details that are known at the time when the report is submitted. At least the following information must be provided, if available:

- a) date and time of the event;
- b) flight identification (call sign) and flight date;
- c) description of the goods;
- d) location of the dangerous goods (cargo, mail, passenger's baggage, crew baggage);
- e) reference number of the air waybill / mail pouch / baggage tag / flight ticket;
- f) proper shipping name and UN number;
- g) primary hazard class of the substance and any subsidiary risk;
- h) type of packaging and packaging specification marking;
- i) quantity of dangerous goods;
- j) name and address of the shipper / passenger;
- k) suspected cause of the event;
- l) action taken.

The report shall also contain the name, title, address and telephone number of the person making the report. Copies of relevant documents and any photographs taken must be attached to the report.

7.3 Provision of information on dangerous goods left for carriage or carried contrary to requirements

Reports as referred to in Section 19(4) of the Decree on the Transport of Dangerous Goods by Air shall be made in accordance with section 2 of this Circular. The content of the report shall be as instructed in section 7.2 above.

8 QUESTIONS AND ANSWERS

Question (Q): What has changed compared with the earlier Aviation Regulation GEN M1-4?

Answer (A): The scope of application has been extended so that it now includes ground handling operations. The form and channel for reporting has changed. In addition, organisations are imposed an obligation to analyse events.

Q: What has changed for a private pilot?

A: The basic principle stays the same: in case of any doubt whether a report should be made, it is best to make the report. The only change is that reports are now submitted electronically.

Q: What kind of events must be reported?

A: Any occurrences related to aircraft operations, airworthiness, maintenance, air navigation services and facilities, aerodromes, and ground handling services. Operators of remotely piloted aircraft must also report accidents and occurrences in accordance with Aviation Regulation OPS M1-32.

Q: I am a paraglider/hang glider pilot. Do I have to report any occurrence, incident or accident to Trafi?

A: Yes. In accordance with the Aviation Act, the EU Regulation on occurrence reporting is applicable to all aircraft, including gliders.

Q: I am a parachute jumper. Do I have to report any occurrence, incident or accident to Trafi?

A: It is advisable to submit a voluntary report to Trafi, if an aircraft was involved in the event.

Q: Who is required to make analyses?

A: The organisation by which the person reporting the event is employed or for which the work is done. In addition, the aviation authority may request a separate analysis of any occurrence that has come to its knowledge.

Q: What kind of events must be analysed?

A: An operator must analyse every occurrence report in some way. If the operator notices that several events are related to the same category of occurrences or events, it must also make a thematic study/analysis covering the whole group of similar events.

Q: How thorough must the analysis be?

A: The EU regulation does not specify how thorough or exhaustive the analysis should be. In practice, an occurrence analysis to determine any safety risks involved may often be a thought process internal to the person who is dealing with the event. This process may raise issues that need to be processed in accordance with the organisation's risk assessment procedures, for example. It is good to approach the analysis requirement in an "SMS spirit", seeking to identify and correct any risks and deficiencies. The occurrence analysis then develops as a byproduct. Identifying and correcting deficiencies is the most essential goal pursued by the analysis obligation.

Q: Which analyses must be sent to Trafif?

A: If the operator, based on their analysis, considers that the event involves an actual or potential risk to aviation safety, the preliminary results of the analysis must be submitted to the Traffic Analysis Unit at Trafif within 30 days. If the final results differ from the preliminary analysis, they must be submitted within 3 months of the event. It is at the operator's discretion which risks it sees as actual or potential hazards to aviation safety. More detailed instructions are expected later from EASA.

Q: Will Trafif forward the flight safety report to the aircraft manufacturer where necessary?

A: Trafif will not send flight safety reports to aircraft manufacturers. The Traffic Analysis Unit evaluates the reports case by case. For technical deficiencies, the established practice is that the aircraft owner/holder submits the information to the manufacturer or type certificate holder.

However, operational events may involve elements that are under the manufacturer's or type certificate holder's responsibility. In this case we first contact the reporter and ask if the entity responsible for the issue has already been informed. After discussions with the reporter, we assess the case and decide on any further action needed.

Q: Trafif's report form is difficult to fill in (classification is difficult and the form is hard to read). Is Trafif planning to make the form more customer-friendly?

A: The current form is on the suomi.fi portal that contains all forms used by government offices. The portal is designed for notifying register information, which makes it rather impractical for occurrence reporting. The plan is to stop using that portal during year 2017. A new occurrence reporting form will be created in Trafif's e-Services, where the layout and functionality of the form can be better adapted to various needs. The new form is expected to be in use by the end of year 2017.

However, the specific language (taxonomy) to be used for occurrence reporting will remain the same. We seek to give better instructions for filling in the data fields on the new form, but because the taxonomy is extensive, complete instructions cannot be provided. The Traffic Analysis Unit will offer training to those persons in charge of classifying occurrence reports under the taxonomy within the organisations before they are forwarded to Trafif.

Q: Where can I find more information about the EU Regulation on occurrence reporting?

A: Link to the Regulation on occurrence reporting (EU) 376/2014: <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32014R0376&from=EN>

Link to the Implementing Regulation (EU) 2015/1018: <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32015R1018&from=EN>

Further questions on occurrence reporting can be submitted to Trafif through the following link: <https://www.webpolsurveys.com/S/A6FD9AEAC71722EA.par>

More information on reporting (only in Finnish):

<http://www.trafi.fi/tietopalvelut/arviointipalvelut/raportointi>

Appendix 1 LIST OF EXAMPLES OF SERIOUS INCIDENTS

(ICAO Annex 13)

The incidents listed below are typical examples of serious incidents. The list is not exhaustive and only serves as guidance with respect to the definition of 'serious incident'.

- A near collision requiring an avoidance manoeuvre or when an avoiding manoeuvre would have been appropriate to avoid a collision or an unsafe situation.
- Controlled flight into terrain (CFIT) only marginally avoided.
- Aborted take-offs on a closed or engaged runway, or a take-off from a runway with marginal separation from obstacle(s).
- Landings or attempted landings on a closed or engaged runway.
- Gross failures to achieve predicted performance during take-off or initial climb.
- Fire and smoke in the passenger compartment, in cargo compartments, or engine fires, even though such fires were extinguished by the use of extinguishing agents.
- Events requiring the emergency use of oxygen by the flight crew.
- Aircraft structural failure or engine disintegration that is not classified as an accident.
- Multiple malfunctions of one or more aircraft systems seriously affecting the operation of the aircraft.
- Flight crew incapacitation in flight.
- Fuel quantity requiring the declaration of an emergency by the pilot.
- Runway incursions classified with severity A (ICAO Doc 9870)
- Take-off or landing incidents, such as undershooting, overrunning or running off the side of runways.
- System failures, weather phenomena, operation outside the approved flight envelope or other occurrences that could have caused difficulties controlling the aircraft.
- Failure of more than one system in a redundancy system that is mandatory for flight guidance and navigation.

Appendix 2 CONTACT DETAILS

Safety Investigation Authority, Finland

Telephone (24H): +358 50 5 112 112

Finnish Transport Safety Agency

Reports on accidents, serious incidents and occurrences:

http://www.suomi.fi/suomifi/english/eservices/forms/trafi_lu3626/index.html

Traffic Analysis Unit:

lentoturvallisuus@trafi.fi

Analyses and related materials:

By secured e-mail either to

lentoturvallisuus@trafi.fi.s (if the sender uses Sec@GW for email encryption)

or

<https://securemail.trafi.fi/lentoturvallisuus@trafi.fi>

Protection of the reporter and suspected infringements of Just Culture principles:

Transport Law Unit

(paivi.metsavainio@trafi.fi)

Questions on reporting:

Virpi Mikkonen (+359 29 534 6086)

virpi.mikkonen@trafi.fi

Ville Autero
Head of Unit
Traffic Analysis