

On the basis of Article 17, paragraph 4, and Articles 239 and 265 of the Air Transport Law (“Official Gazette of RS”, Nos 73/10, 57/11, 93/12, 45/15, 66/15- other law, 83/18 and 9/20),
Director of the Civil Aviation Directorate of the Republic of Serbia hereby adopts

REGULATION

on occurrence reporting in civil aviation

Article 1

Subject matter

This Regulation shall govern occurrences to be reported, persons who report occurrences mandatorily, the manner of reporting, processing, protecting, storing, using and exchanging details of occurrences and the manner of forming and maintaining occurrence database.

Article 2

Transposition

This Regulation, transposes into the legislation of the Republic of Serbia, following:

1) Regulation (EU) No 376/2014 of the European Parliament and of the Council of 3 April 2014 on the reporting, analysis and follow-up of occurrences in civil aviation, amending Regulation (EU) No 996/2010 of the European Parliament and of the Council and repealing Directive 2003/42/EC of the European Parliament and of the Council and Commission Regulations (EC) No 1321/2007 and (EC) No 1330/2007, amending Regulation (EU) of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency. This Regulation shall be provided in Appendix 1, printed with this Regulation forming an integral part thereof;

2) Commission Implementing Regulation (EU) 2015/1018 of 29 June laying down a list of classifying occurrences in civil aviation to be mandatorily reported according to Regulation (EU) No 376/2014 of the European Parliament and of the Council. This Regulation shall be provided in Appendix 2, printed with this Regulation forming an integral part thereof.

Article 3

Definitions

Certain definitions used in this Regulation shall have following meanings:

- 1) *The Agency* is European Union Aviation Safety Agency (EASA);
- 2) *The safety investigation authority* of the Republic of Serbia is the Center for investigation of accidents in transport of the Republic of Serbia pursuant to the law regulating investigation of accidents in air, railway and waterborne transport;
- 3) *Regulation (EC) 216/2008* is Regulation of the European Parliament and of the Council (EC) 216/2008 of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC. This Regulation is implemented in the Republic of Serbia by Regulation on common rules in civil aviation and the competences of European Union Aviation Safety Agency (“Official Gazette of RS”, Nos 23/12 and 104/17);
- 4) *Regulation (EC) 1008/2008* is Regulation (EC) 1008/2008 of the European Parliament and of the Council of 24 September 2008 on common rules for the operation of air services in the Community. This regulation is implemented in the Republic of Serbia by

Regulation on operating licence and common rules for the operation of air services (“Official Gazette of RS”, Nos 54/12 and 76/13);

5) *Regulation (EU) No 996/2010* is Regulation (EU) No 996/2010 of the European Parliament and of the Council of 20 October 2010 on the investigation and prevention of accidents and incidents in civil aviation and repealing Directive 94/56/EC. This Regulation is implemented in the Republic of Serbia by the Law on Accident Investigations for Air, Railway and Waterborne Transport (“Official Gazette of RS”, Nos 66/15 and 83/18);

6) *Regulation (EU) 2018/1139* is Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 (Text with EEA relevance.) Referring to this Regulation in Appendix 1 to this Regulation, till its implementation in the Republic of Serbia, shall be deemed referring to Regulation (EC) No 216/2008.

Other definitions used in this Regulation shall have the meanings specified in Appendix 1 to this Regulation. Terms “Member State” used in Appendix to this Regulation shall be interpreted pursuant to points 2 and 3 of the Annex II to ECAA Agreement.

Terms “competent authority”, “competent authority of the Member State”, “point of contact” and “national civil aviation authority” used in Appendix to this Regulation shall be interpreted as the Civil Aviation Directorate of the Republic of Serbia.

Article 4

Objectives of occurrence reporting

Occurrence reporting aims to improve safety and security in aviation by delivering, collecting, storing, protecting, exchanging, dissemination and analysis of relevant information regarding civil aviation safety.

The objective of occurrence reporting is to prevent accidents and incidents, and not to attribute blame or liability.

Article 5

Mandatory occurrence reporting

Occurrences that are reported mandatorily shall be specified in Article 4, paragraph 1 of the Regulation (EU) No 376/2014 referred to in the Appendix 1 to this Regulation, whereas their detailed classification is included in Annexes I-V to Commission Implementing Regulation (EU) 2015/1018 referred to in Appendix 2 to this Regulation.

Mandatory reporters shall be specified in Article 4, paragraph 6 of the Regulation (EU) No 376/2014.

Reporters referred to in paragraph 2 of this Article shall report occurrences to aviation entity- organization with the seat in the Republic of Serbia that employs, contracts or uses the services of the reporter, through the system established by that aviation entity or, where that system has not been established, they shall report occurrences to the Directorate.

Aviation entity referred to in paragraph 3 of this Article to whom the occurrence has been reported shall be obliged to report the occurrence to the Directorate, as well as to act in accordance with Article 13 of Regulation (EU) No 376/2014.

In the event that aviation entity referred to in paragraph 3 of this Article holds a certificate issued by EASA, occurrence shall be reported to EASA as well.

In the event referred to in paragraph 3 of this Article, occurrence reporting shall be done promptly, no later than 72 hours from person's becoming aware of the occurrence, unless exceptional circumstances prevent this, in which case reporting is conducted as soon as possible.

In the event referred to in paragraph 4 and 5 of this Article, occurrence reporting shall be done promptly, and no later than 72 hours from aviation entity's becoming aware of the occurrence.

Article 6

Voluntary reporting

Besides mandatory reporting referred to in Article 5 of this Regulation, any person may report any other safety-related occurrence or information to aviation entity or the Directorate, when considering that such occurrence, or information, may represent a real or potential risk to aviation safety.

Aviation entity shall notify the Directorate on occurrences and information from paragraph 1 of this Article collected by virtue of voluntary occurrence reporting, and regarding which this entity has reasoned that these occurrences may represent a real or potential risk to aviation safety.

Article 7

Manner of occurrence reporting to Directorate

Aviation entities shall report mandatory reporting occurrences to the Directorate by using the internet application of the Directorate for occurrence reporting.

Exempt from paragraph 1 of this Article, where aviation entity has no technical support to report occurrence as set out in paragraph 1 of this Article, occurrence reporting shall be done through occurrence report form available in the internet page of the Directorate.

Article 8

Data Storage

Aviation entity that was a participant in certain occurrence referred to in Article 5 of this Regulation shall be obliged to store the data that may indicate causes of that occurrence in accordance with regulations governing the field inside which the aviation entity performs their line of business.

Article 9

Transition

Provisions of this Regulation referring to access to data stored in the European Central Repository, as well as provisions referring to occurrence repository software, shall be applied starting from the day when the complete access to Central Repository is granted to the Republic of Serbia, with an aim to enter and transfer data and information, that is when access to software equipment developed by the European Commission is granted.

Article 10

Repealing of other regulations

By entry into force of this Regulation, Regulation on occurrence reporting in civil aviation (Official Gazette, No 54/12 and 86/16) shall be repealed.

Article 11

Entry into force

This Regulation shall enter into force on the eighth day from its publication in “Official Gazette” of the Republic of Serbia).

No: 5/1-01-0011/2020-0001
In Belgrade, 30 October 2020

Director
Mirjana Cizmarov

**Regulation (EU) No 376/2014 of the European Parliament and of the Council
of 3 April 2014 on the reporting, analysis and follow-up of occurrences in civil aviation,
amending Regulation (EU) No 996/2010 of the European Parliament and of the Council
and repealing Directive 2003/42/EC of the European Parliament and of the Council and
Commission Regulations (EC) No 1321/2007 and (EC) No 1330/2007**

**Article 1
Objectives**

1. This Regulation aims to improve aviation safety by ensuring that relevant safety information relating to civil aviation is reported, collected, stored, protected, exchanged, disseminated and analysed.

This Regulation ensures:

(a) that, where appropriate, safety action is taken in a timely manner based on analysis of the information collected;

(b) the continued availability of safety information by introducing rules on confidentiality and on the appropriate use of information and through the harmonised and enhanced protection of reporters and persons mentioned in occurrence reports; and

(c) that aviation safety risks are considered and dealt with at both Union level and national level.

2. The sole objective of occurrence reporting is the prevention of accidents and incidents and not to attribute blame or liability.

**Article 2
Definitions**

For the purposes of this Regulation the following definitions apply:

(1) ‘reporter’ means a natural person who reports an occurrence or other safety-related information pursuant to this Regulation;

(2) ‘aircraft’ means any machine that can derive support in the atmosphere from the reactions of the air other than the reactions of the air against the earth's surface;

(3) ‘incident’ means an incident within the meaning of Regulation (EU) No 996/2010;

(4) ‘serious incident’ means a serious incident within the meaning of Regulation (EU) No 996/2010;

(5) ‘accident’ means an accident within the meaning of Regulation (EU) No 996/2010;

(6) ‘disidentified information’ means information arising from occurrence reports from which all personal data such as names or addresses of natural persons have been removed;

(7) ‘occurrence’ means any safety-related event which endangers or which, if not corrected or addressed, could endanger an aircraft, its occupants or any other person and includes in particular an accident or serious incident;

(8) ‘organisation’ means any organisation providing aviation products and/or which employs, contracts or uses the services of persons required to report occurrences in accordance with Article 4(6);

(9) ‘anonymisation’ means the removal from occurrence reports of all personal details relating to the reporter and to the persons mentioned in occurrence reports and any details, including the name of the organisation(s) involved in the occurrence, which may reveal the identity of the reporter or of a third party or lead to that information being inferred from the occurrence report;

(10) ‘hazard’ means a situation or an object with the potential to cause death or injury to a person, damage to equipment or a structure, loss of material, or a reduction of ability to perform a prescribed function;

(11) ‘safety investigation authority’ means the permanent national civil aviation safety investigation authority conducting or supervising safety investigations as referred to in Article 4 of Regulation (EU) No 996/2010;

(12) ‘just culture’ means a culture in which front-line operators or other persons are not punished for actions, omissions or decisions taken by them that are commensurate with their experience and training, but in which gross negligence, wilful violations and destructive acts are not tolerated;

(13) ‘point of contact’ means:

(a) where a request for information is made by an interested party established in a Member State, the competent authority designated by each Member State in accordance with Article 6(3);

(b) where a request for information is made by an interested party established outside the Union, the Commission;

(14) ‘interested party’ means any natural or legal person or any official body, whether or not having its own legal personality, that is in a position to participate in the improvement of aviation safety by having access to information on occurrences exchanged by the Member States and which falls within one of the categories of interested parties set out in Annex II;

(15) ‘State Safety Programme’ means an integrated set of legal acts and activities aimed at managing civil aviation safety in a Member State;

(16) ‘European Aviation Safety Plan’ means safety issues assessment and the related action plan at European level;

(17) ‘European Aviation Safety Programme’ means the integrated set of regulations at Union level, together with the activities and processes used to jointly manage the safety of civil aviation at European level;

(18) ‘safety management system’ means a systematic approach to managing aviation safety including the necessary organisational structures, accountabilities, policies and procedures, and includes any management system that, independently or integrated with other management systems of the organisation, addresses the management of safety.

Article 3

Subject matter and scope

1. This Regulation lays down rules on:

(a) the reporting of occurrences which endanger or which, if not corrected or addressed, would endanger an aircraft, its occupants, any other person, equipment or installation affecting

aircraft operations; and the reporting of other relevant safety-related information in that context;

(b) analysis and follow-up action in respect of reported occurrences and other safety-related information;

(c) the protection of aviation professionals;

(d) appropriate use of collected safety information;

(e) the integration of information into the European Central Repository; and

(f) the dissemination of anonymised information to interested parties for the purpose of providing such parties with the information they need in order to improve aviation safety.

2. This Regulation applies to occurrences and other safety-related information involving civil aircraft to which Regulation (EU) 2018/1139 of the European Parliament and of the Council applies.

However, this Regulation shall not apply to occurrences and other safety-related information involving unmanned aircraft for which a certificate or declaration is not required pursuant to Article 56(1) and (5) of Regulation (EU) 2018/1139, unless the occurrence or other safety-related information involving such unmanned aircraft resulted in a fatal or serious injury to a person or it involved aircraft other than unmanned aircraft.

Member States may decide to apply this Regulation also to occurrences and other safety-related information involving the aircraft to which Regulation (EU) 2018/1139 does not apply.

Article 4

Mandatory reporting

1. Occurrences which may represent a significant risk to aviation safety and which fall into the following categories shall be reported by the persons listed in paragraph 6 through the mandatory occurrence reporting systems pursuant to this Article:

(a) occurrences related to the operation of the aircraft, such as:

(i) collision-related occurrences;

(ii) take-off and landing-related occurrences;

(iii) fuel-related occurrences;

(iv) in-flight occurrences;

(v) communication-related occurrences;

(vi) occurrences related to injury, emergencies and other critical situations;

(vii) crew incapacitation and other crew-related occurrences;

(viii) meteorological conditions or security-related occurrences;

(b) occurrences related to technical conditions, maintenance and repair of aircraft,

such as:

(i) structural defects;

(ii) system malfunctions;

(iii) maintenance and repair problems;

(iv) propulsion problems (including engines, propellers and rotor systems) and auxiliary power unit problems;

(c) occurrences related to air navigation services and facilities, such as:

(i) collisions, near collisions or potential for collisions;

(ii) specific occurrences of air traffic management and air navigation services (ATM/ANS);

- (iii) ATM/ANS operational occurrences;
- (d) occurrences related to aerodromes and ground services, such as:
 - (i) occurrences related to aerodrome activities and facilities;
 - (ii) occurrences related to handling of passengers, baggage, mail and cargo;
 - (iii) occurrences related to aircraft ground handling and related services.

2. Each organisation established in a Member State shall establish a mandatory reporting system to facilitate the collection of details of occurrences referred to in paragraph 1.

3. Each Member State shall establish a mandatory reporting system to facilitate the collection of details of occurrences including the collection of details of occurrences collected by organisations pursuant to paragraph 2.

4. The European Aviation Safety Agency ('the Agency') shall establish a mandatory reporting system to facilitate the collection of details of occurrences, including the collection of details of occurrences collected pursuant to paragraph 2 by organisations which have been certified or approved by the Agency.

5. The Commission shall, by means of implementing acts, adopt a list classifying occurrences to be referred to when reporting occurrences pursuant to paragraph 1. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 19(2).

The Commission shall include in those implementing acts a separate list classifying occurrences applicable to aircraft other than complex motor-powered aircraft. The list shall be a simplified version of the list referred to in the first subparagraph and shall, where appropriate, be adapted to the specificities of that branch of aviation.

6. The following natural persons shall report the occurrences referred to in paragraph 1 through the system established in accordance with paragraph 2 by the organisation which employs, contracts or uses the services of the reporter or, failing that, through the system established in accordance with paragraph 3 by the Member State of establishment of their organisation, or by the State which issued, validated or converted the pilot's licence, or through the system established in accordance with paragraph 4 by the Agency:

(a) the pilot in command, or, in cases where the pilot in command is unable to report the occurrence, any other crew member next in the chain of command of an aircraft registered in a Member State or an aircraft registered outside the Union but used by an operator for which a Member State ensures oversight of operations or an operator established in the Union;

(b) a person engaged in designing, manufacturing, continuous airworthiness monitoring, maintaining or modifying an aircraft, or any equipment or part thereof, under the oversight of a Member State or of the Agency;

(c) a person who signs an airworthiness review certificate, or a release to service in respect of an aircraft or any equipment or part thereof, under the oversight of a Member State or of the Agency;

(d) a person who performs a function which requires him or her to be authorised by a Member State as a staff member of an air traffic service provider entrusted with responsibilities related to air navigation services or as a flight information service officer;

(e) a person who performs a function connected with the safety management of an airport to which Regulation (EC) No 1008/2008 of the European Parliament and of the Council applies;

(f) a person who performs a function connected with the installation, modification, maintenance, repair, overhaul, flight-checking or inspection of air navigation facilities for which a Member State ensures the oversight;

(g) a person who performs a function connected with the ground handling of aircraft, including fuelling, loadsheets preparation, loading, de-icing and towing at an airport covered by Regulation (EC) No 1008/2008.

7. The persons listed in paragraph 6 shall report occurrences within 72 hours of becoming aware of the occurrence, unless exceptional circumstances prevent this.

8. Following notification of an occurrence, any organisation established in a Member State which is not covered by paragraph 9 shall report to the competent authority of that Member State, as referred to in Article 6(3), the details of occurrences collected in accordance with paragraph 2 of this Article as soon as possible, and in any event no later than 72 hours after becoming aware of the occurrence.

9. Following notification of an occurrence, each organisation established in a Member State which is certified or approved by the Agency shall report to the Agency the details of occurrences collected in accordance with paragraph 2 as soon as possible, and in any event no later than 72 hours after becoming aware of the occurrence.

Article 5

Voluntary reporting

1. Each organisation established in a Member State shall establish a voluntary reporting system to facilitate the collection of:

- (a) details of occurrences that may not be captured by the mandatory reporting system;
- (b) other safety-related information which is perceived by the reporter as an actual or potential hazard to aviation safety.

2. Each Member State shall establish a voluntary reporting system to facilitate the collection of:

- (a) details of occurrences that may not be captured by the mandatory reporting system;
- (b) other safety-related information which is perceived by the reporter as an actual or potential hazard to aviation safety.

That system shall also include, but shall not be limited to, the collection of information transferred by organisations pursuant to paragraph 6.

3. The Agency shall establish a voluntary reporting system to facilitate the collection of:

- (a) details of occurrences that may not be captured by the mandatory reporting system;
- (b) other safety-related information which is perceived by the reporter as an actual or potential hazard to aviation safety.

That system shall also include, but shall not be limited to, the collection of information transferred by organisations certified or approved by the Agency pursuant to paragraph 5.

4. The voluntary reporting systems shall be used to facilitate the collection of details of occurrences and safety-related information:

- (a) not subject to mandatory reporting pursuant to Article 4(1);
- (b) reported by persons who are not listed in Article 4(6).

5. Each organisation established in a Member State and certified or approved by the Agency shall report to the Agency, in a timely manner, details of occurrences and safety-related

information which have been collected pursuant to paragraph 1 and which may involve an actual or potential aviation safety risk.

6. Each organisation established in a Member State that is not certified or approved by the Agency shall, in a timely manner, report to the competent authority of that Member State, as designated pursuant to Article 6(3), the details of occurrences and other safety-related information which have been collected pursuant to paragraph 1 of this Article and which may involve an actual or potential aviation safety risk. Member States may require any organisation established in their territory to report the details of all occurrences collected pursuant to paragraph 1 of this Article.

7. Member States, the Agency and organisations may establish other safety information collection and processing systems to collect details of occurrences that might not be captured by the reporting systems referred to in Article 4 and in paragraphs 1, 2 and 3 of this Article. Those systems may include reporting to entities other than those set out in Article 6(3) and may involve the active participation of:

- (a) the aviation industry;
- (b) professional organisations of aviation staff.

8. Information received from voluntary and mandatory reporting may be integrated into a single system.

Article 6

Collection and storage of information

1. Each organisation established in a Member State shall designate one or more persons to handle independently the collection, evaluation, processing, analysis and storage of details of occurrences reported pursuant to Articles 4 and 5.

The handling of the reports shall be done with a view to preventing the use of information for purposes other than safety, and shall appropriately safeguard the confidentiality of the identity of the reporter and of the persons mentioned in occurrence reports, with a view to promoting a ‘just culture’.

2. By agreement with the competent authority, small organisations may put in place a simplified mechanism for the collection, evaluation, processing, analysis and storage of details of occurrences. They may share those tasks with organisations of the same nature, while complying with the rules on confidentiality and protection pursuant to this Regulation.

3. Each Member State shall designate one or more competent authorities to establish a mechanism to independently collect, evaluate, process, analyse and store details of occurrences reported pursuant to Articles 4 and 5.

The handling of the reports shall be done with a view to preventing the use of information for purposes other than safety, and shall appropriately safeguard the confidentiality of the identity of the reporter and of the persons mentioned in occurrence reports, with a view to promoting a ‘just culture’.

The authorities which may be designated pursuant to the first subparagraph, either jointly or separately, are the following:

- (a) the national civil aviation authority; and/or
- (b) the safety investigation authority; and/or
- (c) any other independent body or entity based in the Union that is entrusted with this function.

Where a Member State designates more than one body or entity, it shall designate one of them as point of contact for the transfer of information referred to in Article 8(2).

4. The Agency shall designate one or more persons to establish a mechanism to independently collect, evaluate, process, analyse and store details of occurrences reported in accordance with Articles 4 and 5.

The handling of the reports shall be done with a view to preventing the use of information for purposes other than safety, and shall appropriately safeguard the confidentiality of the identity of the reporter and of the persons mentioned in occurrence reports, with a view to promoting a 'just culture'.

5. Organisations shall store occurrence reports drawn up on the basis of details of occurrences collected in accordance with Articles 4 and 5 in one or more databases.

6. The competent authorities referred to in paragraph 3 shall store occurrence reports drawn up on the basis of details of occurrences collected in accordance with Articles 4 and 5 in a national database.

7. Relevant information on accidents and serious incidents collected or issued by safety investigation authorities shall also be stored in the national database.

8. The Agency shall store occurrence reports drawn up on the basis of details of occurrences collected in accordance with Articles 4 and 5 in a database.

9. Safety investigation authorities shall have full access to their respective national database referred to in paragraph 6 for the purpose of discharging their responsibilities pursuant to Article 5(4) of Regulation (EU) No 996/2010.

10. Civil aviation authorities of Member States shall have full access to their respective national database referred to in paragraph 6 for the purposes of their safety-related responsibilities.

Article 7

Quality and content of occurrence reports

1. Occurrence reports referred to in Article 6 shall contain at least the information listed in Annex I.

2. Occurrence reports referred to in paragraphs 5, 6 and 8 of Article 6 shall include a safety risk classification for the occurrence concerned. That classification shall be reviewed and if necessary amended, and shall be endorsed by the competent authority of the Member State or the Agency, in accordance with the common European risk classification scheme referred to in paragraph 5 of this Article.

3. Organisations, Member States and the Agency shall establish data quality checking processes to improve data consistency, notably between the information collected initially and the report stored in the database.

4. The databases referred to in paragraphs 5, 6 and 8 of Article 6 shall use formats which are:

- (a) standardised to facilitate information exchange; and
- (b) compatible with the ECCAIRS software and the ADREP taxonomy.

5. The Commission, in close cooperation with the Member States and the Agency through the network of aviation safety analysts, referred to in Article 14(2), shall develop a common European risk classification scheme to enable the organisations, Member States and the Agency to classify occurrences in terms of safety risk. In so doing, the Commission shall take into account the need for compatibility with existing risk classification schemes.

The Commission shall develop that scheme by 15 May 2017.

6. The Commission shall be empowered to adopt delegated acts in accordance with Article 18 to define the common European risk classification scheme.

7. The Commission shall, by means of implementing acts, adopt the arrangements for the implementation of the common European risk classification scheme. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 19(2).

8. The Commission and the Agency shall support the competent authorities of the Member States in their task of data integration, including for example in:

- (a) the integration of the minimum information referred to in paragraph 1;
- (b) the risk classification of occurrences referred to in paragraph 2; and
- (c) the establishment of data quality checking processes referred to in paragraph 3.

The Commission and the Agency shall provide that support in such a way as to contribute to the harmonisation of the data entry process across Member States, in particular by providing to staff working in the bodies or entities referred to in Article 6(1), (3) and (4):

- (a) guidance material;
- (b) workshops; and
- (c) appropriate training.

Article 8

European Central Repository

1. The Commission shall manage a European Central Repository to store all occurrence reports collected in the Union.

2. Each Member State shall, in agreement with the Commission, update the European Central Repository by transferring to it all information relating to safety stored in the national databases referred to in Article 6(6).

3. The Agency shall agree with the Commission the technical protocols for transferring to the European Central Repository all occurrence reports collected by the Agency under Regulation (EC) No 216/2008 and its implementing rules, particularly for occurrences stored in the Internal Occurrence Reporting System (IORS), as well as the information collected pursuant to Articles 4(9) and 5(5).

4. The Commission shall, by means of implementing acts, adopt the arrangements for the management of the European Central Repository as referred to in paragraph 1 and 2. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 19(2).

Article 9

Exchange of information

1. Member States and the Agency shall participate in an exchange of information by making all information relating to safety stored in their respective reporting databases available to the competent authorities of the other Member States, the Agency and the Commission, through the European Central Repository.

Occurrence reports shall be transferred to the European Central Repository no later than 30 days after having been entered in the national database.

Occurrence reports shall be updated whenever necessary with additional information relating to safety.

2. Member States shall also transfer information related to accidents and serious incidents to the European Central Repository as follows:

(a) during the course of the investigation: preliminary factual information on accidents and serious incidents;

(b) when the investigation is completed:

(i) the final investigation report; and

(ii) when available, a summary in English of the final investigation report.

3. A Member State or the Agency shall forward all pertinent safety-related information to the relevant authority of the Member State or the Agency as soon as possible if, while collecting details of occurrences or when storing occurrence reports or carrying out an analysis in accordance with Article 13(6), it identifies safety matters which it considers either:

(a) to be of interest to other Member States or the Agency; or

(b) to possibly require safety action to be taken by other Member States or the Agency.

Article 10

Dissemination of information stored in the European Central Repository

1. Any entity entrusted with regulating civil aviation safety, or any safety investigation authority, within the Union shall have secure full online access to information on occurrences contained in the European Central Repository.

The information shall be used in accordance with Articles 15 and 16.

2. Interested parties listed in Annex II may request access to certain information contained in the European Central Repository.

Interested parties established within the Union shall address requests for information to the point of contact of the Member State in which they are established.

Interested parties established outside the Union shall address their request to the Commission.

The Commission shall inform the competent authority of the Member State concerned when a request is made pursuant to this paragraph.

3. Subject to Article 15(2) of Regulation (EU) No 996/2010, information contained in the European Central Repository relating to ongoing safety investigations conducted in accordance with that Regulation shall not be disclosed to interested parties pursuant to this Article.

4. For security reasons, interested parties shall not be granted direct access to the European Central Repository.

Article 11

Processing of requests and decisions

1. Requests for information contained in the European Central Repository shall be submitted using forms approved by the point of contact. Those forms shall contain at least the items set out in Annex III.

2. A point of contact which receives a request shall verify that:

(a) the request is made by an interested party;

(b) it is competent to deal with that request.

Where the point of contact determines that another Member State or the Commission is competent to deal with the request, it shall transfer it to that Member State or to the Commission, as appropriate.

3. A point of contact which receives a request shall evaluate on a case-by-case basis whether the request is justified and practicable.

A point of contact may supply information to interested parties on paper or by using secure electronic means of communication.

4. Where the request is accepted, the point of contact shall determine the amount and the level of information to be supplied. Without prejudice to Articles 15 and 16, the information shall be limited to what is strictly required for the purpose of the request.

Information unrelated to the interested party's own equipment, operations or field of activity shall be supplied only in aggregated or anonymised form. Information in non-aggregated form may be provided to the interested party if it provides a detailed written justification. That information shall be used in accordance with Articles 15 and 16.

5. The point of contact shall supply interested parties listed in point (b) of Annex II only with information relating to the interested party's own equipment, operations or field of activity.

6. A point of contact receiving a request from an interested party listed in point (a) of Annex II may take a general decision to supply information on a regular basis to that interested party, provided that:

(a) the information requested is related to the interested party's own equipment, operations or field of activity;

(b) the general decision does not grant access to the entire content of the database;

(c) the general decision relates only to anonymised information.

7. The interested party shall use the information received pursuant to this Article subject to the following conditions:

(a) the interested party shall use the information only for the purpose specified in the request form, which should be compatible with the objective of this Regulation as stated in Article 1; and

(b) the interested party shall not disclose the information received without the written consent of the information provider and shall take the necessary measures to ensure appropriate confidentiality of the information received.

8. The decision to disseminate information pursuant to this Article shall be limited to what is strictly required for the purpose of its user.

Article 12

Record of requests and exchange of information

1. The point of contact shall record each request received and the action taken pursuant to that request.

That information shall be transmitted in a timely manner to the Commission whenever a request is received and/or action is taken.

2. The Commission shall make available the updated list of requests received and action taken by the various points of contact and by the Commission itself to all points of contact.

Article 13

Occurrence analysis and follow-up at national level

1. Each organisation established in a Member State shall develop a process to analyse occurrences collected in accordance with Articles 4(2) and 5(1) in order to identify the safety hazards associated with identified occurrences or groups of occurrences.

Based on that analysis, each organisation shall determine any appropriate corrective or preventive action, required to improve aviation safety.

2. When, following the analysis referred to in paragraph 1, an organisation established in a Member State identifies any appropriate corrective or preventive action required to address actual or potential aviation safety deficiencies, it shall:

- (a) implement that action in a timely manner; and
- (b) establish a process to monitor the implementation and effectiveness of the action.

3. Each organisation established in a Member State shall regularly provide its employees and contracted personnel with information concerning the analysis of, and follow-up on, occurrences for which preventive or corrective action is taken.

4. Where an organisation established in a Member State which is not covered by paragraph 5 identifies an actual or potential aviation safety risk as a result of its analysis of occurrences or group of occurrences reported pursuant to Articles 4(8) and 5(6), it shall transmit to the competent authority of that Member State, within 30 days from the date of notification of the occurrence by the reporter:

- (a) the preliminary results of the analysis performed pursuant to paragraph 1, if any; and
- (b) any action to be taken pursuant to paragraph 2.

The organisation shall report the final results of the analysis, where required, as soon as they are available and, in principle, no later than three months from the date of notification of the occurrence.

A competent authority of a Member State may request organisations to transmit to it the preliminary or final results of the analysis of any occurrence of which it has been notified but in relation to which it has received no follow-up or only the preliminary results.

5. Where an organisation established in a Member State and certified or approved by the Agency identifies an actual or potential aviation safety risk as a result of its analysis of occurrences or group of occurrences reported pursuant to Articles 4(9) and 5(5), it shall transmit to the Agency, within 30 days from the date of notification of the occurrence by the reporter:

- (a) the preliminary results of the analysis performed pursuant to paragraph 1, if any; and
- (b) any action to be taken pursuant to paragraph 2.

The organisation certified or approved by the Agency shall transmit to the Agency the final results of the analysis, where required, as soon as they are available and, in principle, no later than three months from the date of notification of the occurrence.

The Agency may request organisations to transmit to it the preliminary or final results of the analysis of any occurrence of which it has been notified but in relation to which it has received no follow-up or only the preliminary results.

6. Each Member State and the Agency shall develop a process to analyse the information relating to occurrences which are directly reported to them in accordance with Articles 4(6), 5(2) and 5(3) in order to identify the safety hazards associated with those occurrences. Based on that analysis, they shall determine any appropriate corrective or preventive action required to improve aviation safety.

7. When, following the analysis referred to in paragraph 6, a Member State or the Agency identifies any appropriate corrective or preventive action required to address actual or potential aviation safety deficiencies, it shall:

- (a) implement that action in a timely manner; and
- (b) establish a process to monitor the implementation and effectiveness of the action.

8. For each occurrence or group of occurrences monitored in accordance with paragraph 4 or 5, each Member State and the Agency shall have access to the analysis made and shall appropriately monitor action taken by the organisations for which it is respectively responsible.

If a Member State or the Agency concludes that the implementation and the effectiveness of the reported action is inappropriate to address actual or potential safety deficiencies, it shall ensure that additional appropriate action is taken and implemented by the relevant organisation.

9. Where available, information relating to the analysis and the follow-up of individual occurrences or groups of occurrences obtained pursuant to this Article shall be stored in the European Central Repository, in accordance with Article 8(2) and (3), in a timely manner and no later than two months after their storage in the national database.

10. Member States shall use information obtained from the analysis of occurrence reports to identify remedial action to be taken, if any, within the State Safety Programme.

11. In order to inform the public of the level of safety in civil aviation, each Member State shall publish a safety review at least once a year. The safety review shall:

- (a) contain aggregated and anonymised information on the type of occurrences and safety-related information reported through its national mandatory and voluntary reporting systems;
- (b) identify trends;
- (c) identify the action it has taken.

12. Member States may also publish anonymised occurrence reports and risk analysis outcomes.

Article 14

Occurrence analysis and follow up at Union level

1. The Commission, the Agency and the competent authorities of the Member States shall, in collaboration, participate regularly in the exchange and analysis of information contained in the European Central Repository.

Without prejudice to the confidentiality requirements laid down in this Regulation, observers may be invited on a case-by-case basis, where appropriate.

2. The Commission, the Agency and the competent authorities of the Member States shall collaborate through a network of aviation safety analysts.

The network of aviation safety analysts shall contribute to the improvement of aviation safety in the Union, in particular by performing safety analysis in support of the European Aviation Safety Programme and the European Aviation Safety Plan.

3. The Agency shall support the activities of the network of aviation safety analysts by, for example, providing assistance for the preparation and organisation of the meetings of the network.

4. The Agency shall include information about the result of information analysis referred to in paragraph 1 in the annual safety review referred to in Article 15(4) of Regulation (EC) No 216/2008.

Article 15

Confidentiality and appropriate use of information

1. Member States and organisations, in accordance with their national law, and the Agency shall take the necessary measures to ensure the appropriate confidentiality of the details of occurrences received by them pursuant to Articles 4, 5 and 10.

Each Member State, each organisation established in a Member State, or the Agency shall process personal data only to the extent necessary for the purposes of this Regulation and without prejudice to national legal acts implementing Directive 95/46/EC.

2. Without prejudice to the provisions relating to the protection of safety information in Articles 12, 14 and 15 of Regulation (EU) No 996/2010, information derived from occurrence reports shall be used only for the purpose for which it has been collected.

Member States, the Agency and organisations shall not make available or use the information on occurrences:

(a) in order to attribute blame or liability; or

(b) for any purpose other than the maintenance or improvement of aviation safety.

3. The Commission, the Agency and the competent authorities of the Member States, when discharging their obligations under Article 14 in relation to the information contained in the European Central Repository, shall:

(a) ensure the confidentiality of the information; and

(b) limit the use of the information to what is strictly necessary in order to discharge their safety-related obligations without attributing blame or liability; in this respect, the information shall be used in particular for risk management and for analysis of safety trends which may lead to safety recommendations or actions, addressing actual or potential safety deficiencies.

4. Member States shall ensure that their competent authorities referred to in Article 6(3) and their competent authorities for the administration of justice cooperate with each other through advance administrative arrangements. These advance administrative arrangements shall seek to ensure the correct balance between the need for proper administration of justice, on the one hand, and the necessary continued availability of safety information, on the other.

Article 16

Protection of the information source

1. For the purposes of this Article, 'personal details' includes in particular names or addresses of natural persons.

2. Each organisation established in a Member State shall ensure that all personal details are made available to staff of that organisation other than persons designated in accordance with Article 6(1) only where absolutely necessary in order to investigate occurrences with a view to enhancing aviation safety.

Disidentified information shall be disseminated within the organisation as appropriate.

3. Each Member State shall ensure that no personal details are ever recorded in the national database referred to in Article 6(6). Such disidentified information shall be made available to all relevant parties, for example to allow them to discharge their obligations in relation to aviation safety improvement.

4. The Agency shall ensure that no personal details are ever recorded in the Agency database referred to in Article 6(8). Such disidentified information shall be made available to

all relevant parties, for example to allow them to discharge their obligations in relation to aviation safety improvement.

5. Member States and the Agency shall not be prevented from taking any action necessary for maintaining or improving aviation safety.

6. Without prejudice to applicable national criminal law, Member States shall refrain from instituting proceedings in respect of unpremeditated or inadvertent infringements of the law which come to their attention only because they have been reported pursuant to Articles 4 and 5.

The first subparagraph shall not apply in the cases referred to in paragraph 10. Member States may retain or adopt measures to strengthen the protection of reporters or persons mentioned in occurrence reports. Member States may in particular apply this rule without the exceptions referred to in paragraph 10.

7. If disciplinary or administrative proceedings are instituted under national law, information contained in occurrence reports shall not be used against:

- (a) the reporters; or
- (b) the persons mentioned in occurrence reports.

The first subparagraph shall not apply in the cases referred to in paragraph 10.

Member States may retain or adopt measures to strengthen the protection of reporters or persons mentioned in occurrence reports. Member States may in particular extend that protection to civil or criminal proceedings.

8. Member States may adopt or maintain in force legislative provisions ensuring a higher level of protection for reporters or for persons mentioned in occurrence reports than those established in this Regulation.

9. Except where paragraph 10 applies, employees and contracted personnel who report or are mentioned in occurrence reports collected in accordance with Articles 4 and 5 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.

10. The protection under paragraphs 6, 7 and 9 of this Article shall not apply to any of the following situations:

- (a) in cases of wilful misconduct;
- (b) where there has been a manifest, severe and serious disregard of an obvious risk and profound failure of professional responsibility to take such care as is evidently required in the circumstances, causing foreseeable damage to a person or property, or which seriously compromises the level of aviation safety.

11. Each organisation established in a Member State shall, after consulting its staff representatives, adopt internal rules describing how 'just culture' principles, in particular the principle referred to in paragraph 9, are guaranteed and implemented within that organisation.

The body designated pursuant to paragraph 12 may ask to review the internal rules of the organisations established in its Member State before those internal rules are implemented.

12. Each Member State shall designate a body responsible for the implementation of paragraphs 6, 9 and 11.

Employees and contracted personnel may report to that body alleged infringements of the rules established by this Article. Employees and contracted personnel shall not be penalised for reporting alleged infringements. Employees and contracted personnel may inform the Commission about such alleged infringements.

Where appropriate, the designated body shall advise the relevant authorities of its Member State concerning remedies or penalties in application of Article 21.

13. On 15 May 2019 and every five years thereafter, each Member State shall send the Commission a report on the application of this Article, and in particular on the activities of the body designated pursuant to paragraph 12. The report shall not contain any personal data.

Article 17

Updating of the annexes

The Commission shall be empowered to adopt delegated acts in accordance with Article 18 in order to:

(a) update the list of mandatory data fields in occurrence reports laid down in Annex I where, in the light of experience gained in the application of this Regulation, changes prove necessary in order to improve aviation safety;

(b) update the request for European Central Repository information form provided in Annex III, to take account of experience gained and of new developments;

(c) align any of the Annexes with the ECCAIRS software and the ADREP taxonomy, as well as with legal acts adopted by the Union and with international agreements.

With a view to updating the list of mandatory fields, the Agency and the network of aviation safety analysts referred to in Article 14(2) shall provide the Commission with appropriate opinion(s).

Article 18

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt delegated acts referred to in Article 7(6) and Article 17 shall be conferred on the Commission for a period of five years from the entry into force of this Regulation. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

3. The delegation of power referred to in Article 7(6) and Article 17 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

5. A delegated act adopted pursuant to Article 7(6) and Article 17 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Article 19

Committee procedure

1. The Commission shall be assisted by the committee established by Article 65 of Regulation (EC) No 216/2008. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply. Where the committee delivers no opinion, the Commission shall not adopt the draft implementing act and the third subparagraph of Article 5(4) of Regulation (EU) No 182/2011 shall apply.

Article 20

Access to documents and protection of personal data

1. With the exception of Articles 10 and 11, which establish stricter rules on access to the data and information contained in the European Central Repository, this Regulation shall apply without prejudice to Regulation (EC) No 1049/2001.

2. This Regulation shall apply without prejudice to national legal acts implementing Directive 95/46/EC and in accordance with Regulation (EC) No 45/2001.

Article 21

Penalties

Member States shall lay down the rules on penalties applicable to infringements of this Regulation. The penalties provided for shall be effective, proportionate and dissuasive. Member States shall notify to the Commission those provisions and any subsequent amendment affecting them.

Article 22

Amendment to Regulation (EU) No 996/2010

Article 19 of Regulation (EU) No 996/2010 is deleted.

However, that Article shall remain applicable until the date of application of this Regulation in accordance with Article 24(3).

Article 23

Repeals

Directive 2003/42/EC, Regulation (EC) No 1321/2007 and Regulation (EC) No 1330/2007 are repealed. They shall remain applicable until the date of application of this Regulation in accordance with Article 24(3).

Article 24

Entry into force and application

1. This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.

2. By 16 November 2020, the Commission shall publish and send to the European Parliament and to the Council an evaluation report on the implementation of this Regulation. That report shall cover, in particular, the contribution made by this Regulation to reducing the number of aircraft accidents and related fatalities. If appropriate and on the basis of that report, the Commission shall make proposals for amending this Regulation.

3. This Regulation shall apply from 15 November 2015 and not before the entry into force of the implementing measures referred to in Article 4(5). Article 7(2) shall apply once the delegated and implementing acts specifying and developing the European common risk classification scheme referred to in Article 7(6) and (7) enter into force.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

ANNEX I

LIST OF REQUIREMENTS APPLICABLE TO THE MANDATORY AND VOLUNTARY OCCURRENCE REPORTING SCHEMES

Note: The data fields must be completed with the information requested. If it is not possible for the competent authorities of the Member States or the Agency to include that information because it has not been provided by the organisation or the reporter, the data field may be completed with the value 'unknown'. However, with a view to ensuring that the appropriate information is transmitted, use of that 'unknown' value should, to the best extent possible, be avoided, and the report should, where possible, be completed with the information later.

1. COMMON MANDATORY DATA FIELDS

When entering, in their respective databases, information on every occurrence mandatorily reported and, to the best extent possible, every occurrence voluntarily reported, organisations, Member States and the Agency must ensure that occurrence reports recorded in their databases contain at least the following information:

- (1) Headline
 - Headline
- (2) Filing Information
 - Responsible Entity
 - File Number
 - Occurrence Status
- (3) When
 - UTC Date
- (4) Where
 - State/Area of Occurrence
 - Location of Occurrence
- (5) Classification
 - Occurrence Class
 - Occurrence Category
- (6) Narrative
 - Narrative Language
 - Narrative
- (7) Events
 - Event Type
- (8) Risk classification

2. SPECIFIC MANDATORY DATA FIELDS

2.1. Aircraft-related data fields

When entering, in their respective databases, information on every occurrence mandatorily reported and, to the best extent possible, every occurrence voluntarily reported,

organisations, Member States and the Agency must ensure that occurrence reports recorded in their databases contain at least the following information:

(1) Aircraft Identification

- State of Registry
- Make/Model/Series
- Aircraft serial number
- Aircraft Registration
- Call sign

(2) Aircraft Operation

- Operator
- Type of operation

(3) Aircraft Description

- Aircraft Category
- Propulsion Type
- Mass Group

(4) History of Flight

- Last Departure Point
- Planned Destination
- Flight Phase

(5) Weather

- Weather relevant

2.2. Data fields relating to air navigation services

When entering, in their respective databases, information on every occurrence mandatorily reported and, to the best extent possible, every occurrence voluntarily reported, organisations, Member States and the Agency must ensure that occurrence reports recorded in their databases contain at least the following information:

(1) ATM relation

- ATM contribution
- Service affected (effect on ATM service)

(2) ATS Unit Name

2.2.1. Separation Minima Infringement/Loss of Separation and Airspace Infringement-related data fields

When entering, in their respective databases, information on every occurrence mandatorily reported and, to the best extent possible, every occurrence voluntarily reported, organisations, Member States and the Agency must ensure that occurrence reports recorded in their databases contain at least the following information:

(1) Airspace

- Airspace type,
- Airspace class,
- FIR/UIR name.

2.3. Aerodrome-related data fields

When entering, in their respective databases, information on every occurrence mandatorily reported and, to the best extent possible, every occurrence voluntarily reported, organisations, Member States and the Agency must ensure that occurrence reports recorded in their databases contain at least the following information:

- (1) Location Indicator (ICAO indicator of the airport);
- (2) Location on the aerodrome.

2.4. Aircraft damage or personal injury-related data fields

When entering, in their respective databases, information on every occurrence mandatorily reported and, to the best extent possible, every occurrence voluntarily reported, organisations, Member States and the Agency must ensure that occurrence reports recorded in their databases contain at least the following information:

- (1) Severity
 - Highest Damage,
 - Injury Level;
- (2) Injuries to persons
 - Number of injuries on ground (fatal, serious, minor),
 - Number of injuries on aircraft (fatal, serious, minor).

ANNEX II

INTERESTED PARTIES

(a) List of interested parties which may receive information on the basis of a case-by-case decision under Article 11(4) or on the basis of a general decision under Article 11(6):

1. Manufacturers: designers and manufacturers of aircraft, engines, propellers and aircraft parts and appliances, and their respective associations; designers and manufacturers of air traffic management (ATM) systems and constituents; designers and manufacturers of systems and constituents for air navigation services (ANS); designers and manufacturers of systems and equipment used on the air side of aerodromes;

2. Maintenance: organisations involved in the maintenance or overhaul of aircraft, engines, propellers and aircraft parts and appliances; in the installation, modification, maintenance, repair, overhaul, flight checking or inspection of air navigation facilities; or in the maintenance or overhaul of aerodrome air side systems, constituents and equipment;

3. Operators: airlines and operators of aircraft and associations of airlines and operators; aerodrome operators and associations of aerodrome operators;

4. Air navigation services providers and providers of ATM-specific functions;

5. Aerodrome service providers: organisations in charge of ground handling of aircraft, including fuelling, loadsheet preparation, loading, de-icing and towing at an aerodrome, as well as rescue and firefighting, or other emergency services;

6. Aviation training organisations;

7. Third-country organisations: governmental aviation authorities and accident investigation authorities from third countries;

8. International aviation organisations;

9. Research: public or private research laboratories, centres or entities; or universities engaged in aviation safety research or studies.

(b) List of interested parties which may receive information on the basis of a case-by-case decision under Article 11(4) and (5):

1. Pilots (on a personal basis);

2. Air traffic controllers (on a personal basis) and other ATM/ANS staff carrying out safety-related tasks;

3. Engineers/technicians/air traffic safety electronics staff/aviation (or aerodrome) managers (on a personal basis);

4. Professional representative bodies of staff carrying out safety-related tasks.

ANNEX III

**REQUEST FOR INFORMATION FROM THE EUROPEAN CENTRAL
REPOSITORY**

1. Name:

Function/position:

Company:

Address:

Tel.:

E-mail:

Date:

Nature of business:

Category of interested party (see Annex II to Regulation (EU) No 376/2014 of the European Parliament and of the Council of 3 April 2014 on the reporting, analysis and follow-up of occurrences in civil aviation):

2. Information requested (please be as specific as possible; include the relevant date/period in which you are interested):

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3. Reason for the request:

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4. Explain the purpose for which the information will be used:

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5. Date by which the information is requested:

6. The completed form should be sent, via e-mail, to: (point of contact)

7. Access to information

The point of contact is not required to supply any requested information. It may do so only if it is confident that the request is compatible with Regulation (EU) No 376/2014. The requestor commits itself and its organisation to restrict the use of the information to the purpose it has described under point 4. It is also recalled that information provided on the basis of this request is made available only for the purposes of flight safety as provided in Regulation (EU) No 376/2014 and not for other purposes such as, in particular, attributing blame or liability or for commercial purposes.

The requestor is not allowed to disclose information provided to it to anyone without the written consent of the point of contact.

Failure to comply with these conditions may lead to a refusal of access to further information from the European Central Repository and, where applicable, to the imposition of penalties.

8. Date, place and signature:

**COMMISSION IMPLEMENTING REGULATION (EU) 2015/1018
of 29 June 2015
laying down a list classifying occurrences in civil aviation to be mandatorily reported
according to Regulation (EU) No 376/2014 of the European Parliament and of
the Council**

Article 1

The detailed classification of the occurrences to be referred to when reporting, through mandatory reporting systems, occurrences pursuant to Article 4(1) of Regulation (EU) No 376/2014 is set out in Annexes I to V to this Regulation.

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.

It shall apply from 15 November 2015.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Annex I

OCCURRENCES RELATED TO THE OPERATION OF THE AIRCRAFT

Remark: This Annex is structured in such a way that the pertinent occurrences are linked with categories of activities during which they are normally observed, according to experience, in order to facilitate the reporting of those occurrences. However, this presentation must not be understood as meaning that occurrences must not be reported in case they take place outside the category of activities to which they are linked in the list.

1. AIR OPERATIONS

1.1. Flight preparation

(1) Use of incorrect data or erroneous entries into equipment used for navigation or performance calculations which has or could have endangered the aircraft, its occupants or any other person.

(2) Carriage or attempted carriage of dangerous goods in contravention of applicable legislations including incorrect labelling, packaging and handling of dangerous goods.

1.2. Aircraft preparation

(1) Incorrect fuel type or contaminated fuel.

(2) Missing, incorrect or inadequate De-icing/Anti-icing treatment.

1.3. Take-off and landing

- (1) Taxiway or runway excursion.
- (2) Actual or potential taxiway or runway incursion.
- (3) Final Approach and Take-off Area (FATO) incursion.
- (4) Any rejected take-off.
- (5) Inability to achieve required or expected performance during take-off, go-around or landing.
- (6) Actual or attempted take-off, approach or landing with incorrect configuration setting.
- (7) Tail, blade/wingtip or nacelle strike during take-off or landing.
- (8) Approach continued against air operator stabilised approach criteria.
- (9) Continuation of an instrument approach below published minimums with inadequate visual references.
- (10) Precautionary or forced landing.
- (11) Short and long landing.
- (12) Hard landing.

1.4. Any phase of flight

- (1) Loss of control.
- (2) Aircraft upset, exceeding normal pitch attitude, bank angle or airspeed inappropriate for the conditions.
- (3) Level bust.
- (4) Activation of any flight envelope protection, including stall warning, stick shaker, stick pusher and automatic protections.
- (5) Unintentional deviation from intended or assigned track of the lowest of twice the required navigation performance or 10 nautical miles.
- (6) Exceedance of aircraft flight manual limitation.
- (7) Operation with incorrect altimeter setting.
- (8) Jet blast or rotor and prop wash occurrences which have or could have endangered the aircraft, its occupants or any other person.
- (9) Misinterpretation of automation mode or of any flight deck information provided to the flight crew which has or could have endangered the aircraft, its occupants or any other person.

1.5. Other types of occurrences

- (1) Unintentional release of cargo or other externally carried equipment.
- (2) Loss of situational awareness (including environmental, mode and system awareness, spatial disorientation, and time horizon).
- (3) Any occurrence where the human performance has directly contributed to or could have contributed to an accident or a serious incident.

2. TECHNICAL OCCURRENCES

2.1. Structure and systems

- (1) Loss of any part of the aircraft structure in flight.
- (2) Loss of a system.
- (3) Loss of redundancy of a system.
- (4) Leakage of any fluid which resulted in a fire hazard or possible hazardous contamination of aircraft structure, systems or equipment, or which has or could have endangered the aircraft, its occupants or any other person.
- (5) Fuel system malfunctions or defects, which had an effect on fuel supply and/or distribution.
- (6) Malfunction or defect of any indication system when this results in misleading indications to the crew.
- (7) Abnormal functioning of flight controls such as asymmetric or stuck/jammed flight controls (for example: lift (flaps/slats), drag (spoilers), attitude control (ailerons, elevators, rudder) devices).

2.2. Propulsion (including engines, propellers and rotor systems) and auxiliary power units (APUs)

- (1) Failure or significant malfunction of any part or controlling of a propeller, rotor or powerplant.
- (2) Damage to or failure of main/tail rotor or transmission and/or equivalent systems.
- (3) Flameout, in-flight shutdown of any engine or APU when required (for example: ETOPS (Extended range Twin engine aircraft Operations), MEL (Minimum Equipment List)).
- (4) Engine operating limitation exceedance, including overspeed or inability to control the speed of any high-speed rotating component (for example: APU, air starter, air cycle machine, air turbine motor, propeller or rotor).
- (5) Failure or malfunction of any part of an engine, powerplant, APU or transmission resulting in any one or more of the following:
 - (a) thrust-reversing system failing to operate as commanded;
 - (b) inability to control power, thrust or rpm (revolutions per minute);
 - (c) non-containment of components/debris.

3. INTERACTION WITH AIR NAVIGATION SERVICES (ANS) AND AIR TRAFFIC MANAGEMENT (ATM)

- (1) Unsafe ATC (Air Traffic Control) clearance.
- (2) Prolonged loss of communication with ATS (Air Traffic Service) or ATM Unit.
- (3) Conflicting instructions from different ATS Units potentially leading to a loss of separation.
- (4) Misinterpretation of radio-communication which has or could have endangered the aircraft, its occupants or any other person.
- (5) Intentional deviation from ATC instruction which has or could have endangered the aircraft, its occupants or any other person.

4. EMERGENCIES AND OTHER CRITICAL SITUATIONS

- (1) Any event leading to the declaration of an emergency ('Mayday' or 'PAN call').
- (2) Any burning, melting, smoke, fumes, arcing, overheating, fire or explosion.
- (3) Contaminated air in the cockpit or in the passenger compartment which has or could have endangered the aircraft, its occupants or any other person.
- (4) Failure to apply the correct non-normal or emergency procedure by the flight or cabin crew to deal with an emergency.
- (5) Use of any emergency equipment or non-normal procedure affecting in-flight or landing performance.
- (6) Failure of any emergency or rescue system or equipment which has or could have endangered the aircraft, its occupants or any other person.
- (7) Uncontrollable cabin pressure.
- (8) Critically low fuel quantity or fuel quantity at destination below required final reserve fuel.
- (9) Any use of crew oxygen system by the crew.
- (10) Incapacitation of any member of the flight or cabin crew that results in the reduction below the minimum certified crew complement.
- (11) Crew fatigue impacting or potentially impacting their ability to perform safely their flight duties.

5. EXTERNAL ENVIRONMENT AND METEOROLOGY

- (1) A collision or a near collision on the ground or in the air, with another aircraft, terrain or obstacle.
- (2) ACAS RA (Airborne Collision Avoidance System, Resolution Advisory).
- (3) Activation of genuine ground collision system such as GPWS (Ground Proximity Warning System)/TAWS (Terrain Awareness and Warning System) 'warning'.
- (4) Wildlife strike including bird strike.
- (5) Foreign object damage/debris (FOD).
- (6) Unexpected encounter of poor runway surface conditions.
- (7) Wake-turbulence encounters.
- (8) Interference with the aircraft by firearms, fireworks, flying kites, laser illumination, high powered lights, lasers, Remotely Piloted Aircraft Systems, model aircraft or by similar means.
- (9) A lightning strike which resulted in damage to the aircraft or loss or malfunction of any aircraft system.
- (10) A hail encounter which resulted in damage to the aircraft or loss or malfunction of any aircraft system.
- (11) Severe turbulence encounter or any encounter resulting in injury to occupants or deemed to require a 'turbulence check' of the aircraft.
- (12) A significant wind shear or thunderstorm encounter which has or could have endangered the aircraft, its occupants or any other person.
- (13) Icing encounter resulting in handling difficulties, damage to the aircraft or loss or malfunction of any aircraft system.
- (14) Volcanic ash encounter.

6. SECURITY

- (1) Bomb threat or hijack.
- (2) Difficulty in controlling intoxicated, violent or unruly passengers.
- (3) Discovery of a stowaway.

Annex II

OCCURRENCES RELATED TO TECHNICAL CONDITIONS, MAINTENANCE AND REPAIR OF THE AIRCRAFT

1. MANUFACTURING

Products, parts or appliances released from the production organisation with deviations from applicable design data that could lead to a potential unsafe condition as identified with the holder of the type-certificate or design approval.

2. DESIGN

Any failure, malfunction, defect or other occurrence related to a product, part, or appliance which has resulted in or may result in an unsafe condition.

Remark: This list is applicable to occurrences occurring on a product, part, or appliance covered by the type-certificate, restricted type-certificate, supplemental type-certificate, ETSO authorisation, major repair design approval or any other relevant approval deemed to have been issued under regulation laying down implementing rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisations.

3. MAINTENANCE AND CONTINUING AIRWORTHINESS MANAGEMENT

- (1) Serious structural damage (for example: cracks, permanent deformation, delamination, debonding, burning, excessive wear, or corrosion) found during maintenance of the aircraft or component.
- (2) Serious leakage or contamination of fluids (for example: hydraulic, fuel, oil, gas or other fluids).
- (3) Failure or malfunction of any part of an engine or powerplant and/or transmission resulting in any one or more of the following:
 - (a) non-containment of components/debris;
 - (b) failure of the engine mount structure.
- (4) Damage, failure or defect of propeller, which could lead to in-flight separation of the propeller or any major portion of the propeller and/or malfunctions of the propeller control.
- (5) Damage, failure or defect of main rotor gearbox/attachment, which could lead to in-flight separation of the rotor assembly and/or malfunctions of the rotor control.
- (6) Significant malfunction of a safety-critical system or equipment including emergency system or equipment during maintenance testing or failure to activate these systems after maintenance.

- (7) Incorrect assembly or installation of components of the aircraft found during an inspection or test procedure not intended for that specific purpose.
- (8) Wrong assessment of a serious defect, or serious non-compliance with MEL and Technical logbook procedures.
- (9) Serious damage to Electrical Wiring Interconnection System (EWIS).
- (10) Any defect in a life-controlled critical part causing retirement before completion of its full life.
- (11) The use of products, components or materials, from unknown, suspect origin, or unserviceable critical components.
- (12) Misleading, incorrect or insufficient applicable maintenance data or procedures that could lead to significant maintenance errors, including language issue.
- (13) Incorrect control or application of aircraft maintenance limitations or scheduled maintenance.
- (14) Releasing an aircraft to service from maintenance in case of any non-compliance which endangers the flight safety.
- (15) Serious damage caused to an aircraft during maintenance activities due to incorrect maintenance or use of inappropriate or unserviceable ground support equipment that requires additional maintenance actions.
- (16) Identified burning, melting, smoke, arcing, overheating or fire occurrences.
- (17) Any occurrence where the human performance, including fatigue of personnel, has directly contributed to or could have contributed to an accident or a serious incident.
- (18) Significant malfunction, reliability issue, or recurrent recording quality issue affecting a flight recorder system (such as a flight data recorder system, a data link recording system or a cockpit voice recorder system) or lack of information needed to ensure the serviceability of a flight recorder system.

Annex III

OCCURRENCES RELATED TO AIR NAVIGATION SERVICES AND FACILITIES

Remark: This Annex is structured in such a way that the pertinent occurrences are linked with categories of activities during which they are normally observed, according to experience, in order to facilitate the reporting of those occurrences. However, this presentation must not be understood as meaning that occurrences must not be reported in case they take place outside the category of activities to which they are linked in the list.

1. AIRCRAFT-RELATED OCCURRENCES

- (1) A collision or a near collision on the ground or in the air, between an aircraft and another aircraft, terrain or obstacle, including near-controlled flight into terrain (near CFIT).
- (2) Separation minima infringement.
- (3) Inadequate separation.
- (4) ACAS RAs.
- (5) Wildlife strike including bird strike.
- (6) Taxiway or runway excursion.
- (7) Actual or potential taxiway or runway incursion.
- (8) Final Approach and Take-off Area (FATO) incursion.

- (9) Aircraft deviation from ATC clearance.
- (10) Aircraft deviation from applicable air traffic management (ATM) regulation:
 - (a) aircraft deviation from applicable published ATM procedures;
 - (b) airspace infringement including unauthorised penetration of airspace;
 - (c) deviation from aircraft ATM-related equipment carriage and operations, as mandated by applicable regulations.
- (11) Call sign confusion related occurrences.

2. DEGRADATION OR TOTAL LOSS OF SERVICES OR FUNCTIONS

- (1) Inability to provide ATM services or to execute ATM functions:
 - (a) inability to provide air traffic services or to execute air traffic services functions;
 - (b) inability to provide airspace management services or to execute airspace management functions;
 - (c) inability to provide air traffic flow management and capacity services or to execute air traffic flow management and capacity functions.
- (2) Missing or significantly incorrect, corrupted, inadequate or misleading information from any support service, including relating to poor runway surface conditions.
- (3) Failure of communication service.
- (4) Failure of surveillance service.
- (5) Failure of data processing and distribution function or service.
- (6) Failure of navigation service.
- (7) Failure of ATM system security which had or could have a direct negative impact on the safe provision of service.
- (8) Significant ATS sector/position overload leading to a potential deterioration in service provision.
- (9) Incorrect receipt or interpretation of significant communications, including lack of understanding of the language used, when this had or could have a direct negative impact on the safe provision of service.
- (10) Prolonged loss of communication with an aircraft or with other ATS unit.

3. OTHER OCCURRENCES

- (1) Declaration of an emergency ('Mayday' or 'PAN' call).
- (2) Significant external interference with Air Navigation Services (for example radio broadcast stations transmitting in the FM band, interfering with ILS (instrument landing system), VOR (VHF Omni Directional Radio Range) and communication).
- (3) Interference with an aircraft, an ATS unit or a radio communication transmission including by firearms, fireworks, flying kites, laser illumination, high-powered lights lasers, Remotely Piloted Aircraft Systems, model aircraft or by similar means.
- (4) Fuel dumping.
- (5) Bomb threat or hijack.
- (6) Fatigue impacting or potentially impacting the ability to perform safely the air navigation or air traffic duties.
- (7) Any occurrence where the human performance has directly contributed to or could have contributed to an accident or a serious incident.

OCCURRENCES RELATED TO AERODROMES AND GROUND SERVICES

1. SAFETY MANAGEMENT OF AN AERODROME

Remark: This Section is structured in such a way that the pertinent occurrences are linked with categories of activities during which they are normally observed, according to experience, in order to facilitate the reporting of those occurrences. However, this presentation must not be understood as meaning that occurrences must not be reported in case they take place outside the category of activities to which they are linked in the list.

1.1. Aircraft- and obstacle-related occurrences

- (1) A collision or near collision, on the ground or in the air, between an aircraft and another aircraft, terrain or obstacle.
- (2) Wildlife strike including bird strike.
- (3) Taxiway or runway excursion.
- (4) Actual or potential taxiway or runway incursion.
- (5) Final Approach and Take-off Area (FATO) incursion or excursion.
- (6) Aircraft or vehicle failure to follow clearance, instruction or restriction while operating on the movement area of an aerodrome (for example: wrong runway, taxiway or restricted part of an aerodrome).
- (7) Foreign object on the aerodrome movement area which has or could have endangered the aircraft, its occupants or any other person.
- (8) Presence of obstacles on the aerodrome or in the vicinity of the aerodrome which are not published in the AIP (Aeronautical Information Publication) or by NOTAM (Notice to Airmen) and/or that are not marked or lighted properly.
- (9) Push-back, power-back or taxi interference by vehicle, equipment or person.
- (10) Passengers or unauthorised person left unsupervised on apron.
- (11) Jet blast, rotor down wash or propeller blast effect.
- (12) Declaration of an emergency ('Mayday' or 'PAN' call).

1.2. Degradation or total loss of services or functions

- (1) Loss or failure of communication between:
 - (a) aerodrome, vehicle or other ground personnel and air traffic services unit or apron management service unit;
 - (b) apron management service unit and aircraft, vehicle or air traffic services unit.
- (2) Significant failure, malfunction or defect of aerodrome equipment or system which has or could have endangered the aircraft or its occupants.
- (3) Significant deficiencies in aerodrome lighting, marking or signs.
- (4) Failure of the aerodrome emergency alerting system.
- (5) Rescue and firefighting services not available according to applicable requirements.

1.3. Other occurrences

- (1) Fire, smoke, explosions in aerodrome facilities, vicinities and equipment which has or could have endangered the aircraft, its occupants or any other person.
- (2) Aerodrome security related occurrences (for example: unlawful entry, sabotage, bomb threat).
- (3) Absence of reporting of a significant change in aerodrome operating conditions which has or could have endangered the aircraft, its occupants or any other person.
- (4) Missing, incorrect or inadequate de-icing/anti-icing treatment.
- (5) Significant spillage during fuelling operations.
- (6) Loading of contaminated or incorrect type of fuel or other essential fluids (including oxygen, nitrogen, oil and potable water).
- (7) Failure to handle poor runway surface conditions.
- (8) Any occurrence where the human performance has directly contributed to or could have contributed to an accident or a serious incident.

2. GROUND HANDLING OF AN AIRCRAFT

Remark: This Section is structured in such a way that the pertinent occurrences are linked with categories of activities during which they are normally observed, according to experience, in order to facilitate the reporting of those occurrences. However, this presentation must not be understood as meaning that occurrences must not be reported in case they take place outside the category of activities to which they are linked in the list.

2.1. Aircraft- and aerodrome-related occurrences

- (1) A collision or near collision, on the ground or in the air, between an aircraft and another aircraft, terrain or obstacle.
- (2) Runway or taxiway incursion.
- (3) Runway or taxiway excursion.
- (4) Significant contamination of aircraft structure, systems and equipment arising from the carriage of baggage, mail or cargo.
- (5) Push-back, power-back or taxi interference by vehicle, equipment or person.
- (6) Foreign object on the aerodrome movement area which has or could have endangered the aircraft, its occupants or any other person.
- (7) Passengers or unauthorised person left unsupervised on apron.
- (8) Fire, smoke, explosions in aerodrome facilities, vicinities and equipment which has or could have endangered the aircraft, its occupants or any other person.
- (9) Aerodrome security-related occurrences (for example: unlawful entry, sabotage, bomb threat).

2.2. Degradation or total loss of services or functions

- (1) Loss or failure of communication with aircraft, vehicle, air traffic services unit or apron management service unit.

- (2) Significant failure, malfunction or defect of aerodrome equipment or system which has or could have endangered the aircraft or its occupants.
- (3) Significant deficiencies in aerodrome lighting, marking or signs.

2.3. Ground handling specific occurrences

- (1) Incorrect handling or loading of passengers, baggage, mail or cargo, likely to have a significant effect on aircraft mass and/or balance (including significant errors in loadsheet calculations).
- (2) Boarding equipment removed leading to endangerment of aircraft occupants.
- (3) Incorrect stowage or securing of baggage, mail or cargo likely in any way to endanger the aircraft, its equipment or occupants or to impede emergency evacuation.
- (4) Transport, attempted transport or handling of dangerous goods which resulted or could have resulted in the safety of the operation being endangered or led to an unsafe condition (for example: dangerous goods incident or accident as defined in the ICAO Technical Instructions).
- (5) Non-compliance on baggage or passenger reconciliation.
- (6) Non-compliance with required aircraft ground handling and servicing procedures, especially in de-icing, refuelling or loading procedures, including incorrect positioning or removal of equipment.
- (7) Significant spillage during fuelling operations.
- (8) Loading of incorrect fuel quantities likely to have a significant effect on aircraft endurance, performance, balance or structural strength.
- (9) Loading of contaminated or incorrect type of fuel or other essential fluids (including oxygen, nitrogen, oil and potable water).
- (10) Failure, malfunction or defect of ground equipment used for ground handling, resulting into damage or potential damage to the aircraft (for example: tow bar or GPU (Ground Power Unit)).
- (11) Missing, incorrect or inadequate de-icing/anti-icing treatment.
- (12) Damage to aircraft by ground handling equipment or vehicles including previously unreported damage.
- (13) Any occurrence where the human performance has directly contributed to or could have contributed to an accident or a serious incident.

Annex V

OCCURRENCES RELATED TO AIRCRAFT OTHER THAN COMPLEX MOTOR-POWERED AIRCRAFT, INCLUDING SAILPLANES AND LIGHTER-THAN-AIR VEHICLES

For the purposes of this Annex:

- (a) 'Aircraft other than complex motor-powered aircraft' means any aircraft other than that defined in Article 3(j) of Regulation (EC) No 216/2008;
- (b) 'Sailplane' has the meaning assigned in Article 2(117) of Commission Implementing Regulation (EU) No 923/2012;
- (c) 'Lighter-than-air vehicles' has the meaning assigned in point ML10 of the section 'Definitions of terms used in this list' of the Annex to Directive 2009/43/EC of the European Parliament and of the Council.

1. AIRCRAFT OTHER THAN COMPLEX MOTOR-POWERED AIRCRAFT EXCLUDING SAILPLANES AND LIGHTER-THAN-AIR VEHICLES

Remark: This Section is structured in such a way that the pertinent occurrences are linked with categories of activities during which they are normally observed, according to experience, in order to facilitate the reporting of those occurrences. However, this presentation must not be understood as meaning that occurrences must not be reported in case they take place outside the category of activities to which they are linked in the list.

1.1. Air operations

- (1) Unintentional loss of control;
- (2) Landing outside of intended landing area;
- (3) Inability or failure to achieve required aircraft performance expected in normal conditions during take-off, climb or landing;
- (4) Runway incursion;
- (5) Runway excursion;
- (6) Any flight which has been performed with an aircraft which was not airworthy, or for which flight preparation was not completed, which has or could have endangered the aircraft, its occupants or any other person;
- (7) Unintended flight into IMC (Instrument Meteorological Conditions) conditions of aircraft not IFR (Instrument flight rules) certified, or a pilot not qualified for IFR, which has or could have endangered the aircraft, its occupants or any other person;
- (8) Unintentional release of cargo.

1.2. Technical occurrences

- (1) Abnormal severe vibration (for example: aileron or elevator ‘flutter’, or of propeller);
- (2) Any flight control not functioning correctly or disconnected;
- (3) A failure or substantial deterioration of the aircraft structure;
- (4) A loss of any part of the aircraft structure or installation in flight;
- (5) A failure of an engine, rotor, propeller, fuel system or other essential system;
- (6) Leakage of any fluid which resulted in a fire hazard or possible hazardous contamination of aircraft structure, systems or equipment, or risk to occupants.

1.3. Interaction with air navigation services and air traffic management

- (1) Interaction with air navigation services (for example: incorrect services provided, conflicting communications or deviation from clearance) which has or could have endangered the aircraft, its occupants or any other person;
- (2) Airspace infringement.

1.4. Emergencies and other critical situations

- (1) Any occurrence leading to an emergency call;
- (2) Fire, explosion, smoke, toxic gases or toxic fumes in the aircraft;
- (3) Incapacitation of the pilot leading to inability to perform any duty.

1.5. External environment and meteorology

- (1) A collision on the ground or in the air, with another aircraft, terrain or obstacle.
- (2) A near collision, on the ground or in the air, with another aircraft, terrain or obstacle requiring an emergency avoidance manoeuvre to avoid a collision.
- (3) Wildlife strike including bird strike which resulted in damage to the aircraft or loss or malfunction of any essential service.
- (4) Interference with the aircraft by firearms, fireworks, flying kites, laser illumination, high powered lights lasers, Remotely Piloted Aircraft Systems, model aircraft or by similar means.
- (5) A lightning strike resulting in damage to or loss of functions of the aircraft.
- (6) Severe turbulence encounter which resulted in injury to aircraft occupants or in the need for a post-flight turbulence damage check of the aircraft.
- (7) Icing including carburettor icing which has or could have endangered the aircraft, its occupants or any other person.

2. SAILPLANES (GLIDERS)

Remark: This Section is structured in such a way that the pertinent occurrences are linked with categories of activities during which they are normally observed, according to experience, in order to facilitate the reporting of those occurrences. However, this presentation must not be understood as meaning that occurrences must not be reported in case they take place outside the category of activities to which they are linked in the list.

2.1. Air operations

- (1) Unintentional loss of control.
- (2) An occurrence where the sailplane pilot was unable to release either the winch cable or the aerotow rope and had to do so using emergency procedures.
- (3) Any release of the winch cable or the aerotow rope if the release has or could have endangered the sailplane, its occupants or any other person.
- (4) In the case of a powered sailplane, an engine failure during take-off.
- (5) Any flight which has been performed with a sailplane which was not airworthy, or for which an incomplete flight preparation has or could have endangered the sailplane, its occupants or any other person.

2.2. Technical occurrences

- (1) Abnormal severe vibration (for example: aileron or elevator 'flutter', or of propeller).
- (2) Any flight control not functioning correctly or disconnected.
- (3) A failure or substantial deterioration of the sailplane structure.
- (4) A loss of any part of the sailplane structure or installation in flight.

2.3. Interaction with air navigation services and air traffic management

- (1) Interaction with air navigation services (for example: incorrect services provided, conflicting communications or deviation from clearance) which has or could have endangered the sailplane, its occupants or any other person.

- (2) Airspace infringements.

2.4. Emergencies and other critical situations

- (1) Any occurrence leading to an emergency call.
- (2) Any situation where no safe landing area remains available.
- (3) Fire, explosion, smoke, or toxic gases or fumes in the sailplane.
- (4) Incapacitation of the pilot leading to inability to perform any duty.

2.5. External environment and meteorology

- (1) A collision on the ground or in the air, with an aircraft, terrain or obstacle.
- (2) A near collision, on the ground or in the air, with an aircraft, terrain or obstacle requiring an emergency avoidance manoeuvre to avoid a collision.
- (3) Interference with the sailplane by firearms, fireworks, flying kites, laser illumination, high powered lights lasers, Remotely Piloted Aircraft Systems, model aircraft or by similar means.
- (4) A lightning strike resulting in damage to the sailplane.

3. LIGHTER-THAN-AIR VEHICLES (BALLOONS AND AIRSHIPS)

Remark: This Section is structured in such a way that the pertinent occurrences are linked with categories of activities during which they are normally observed, according to experience, in order to facilitate the reporting of those occurrences. However, this presentation must not be understood as meaning that occurrences must not be reported in case they take place outside the category of activities to which they are linked in the list.

3.1. Air operations

- (1) Any flight which has been performed with a lighter-than-air vehicle which was not airworthy, or for which an incomplete flight preparation has or could have endangered the lighter-than-air vehicle, its occupants or any other person.
- (2) Unintended permanent extinction of the pilot light.

3.2. Technical occurrences

- (1) Failure of any of the following parts or controls: dip tube on fuel cylinder, envelope pulley, control line, tether rope, valve seal leak on burner, valve seal leak on fuel cylinder, carabiner, damage to fuel line, lifting gas valve, envelope or ballonet, blower, pressure relief valve (gas balloon), winch (tethered gas balloons).
- (2) Significant leakage or loss of lifting gas (for example: porosity, unseated lifting gas valves).

3.3. Interaction with air navigation services and air traffic management

- (1) Interaction with air navigation services (for example: incorrect services provided, conflicting communications or deviation from clearance) which has or could have endangered the lighter-than-air vehicle, its occupants or any other person.

(2) Airspace infringement.

3.4. Emergencies and other critical situations

- (1) Any occurrence leading to an emergency call.
- (2) Fire, explosion, smoke or toxic fumes in the lighter-than-air vehicle (beyond the normal operation of the burner).
- (3) Lighter-than-air vehicle's occupants ejected from basket or gondola.
- (4) Incapacitation of the pilot leading to inability to perform any duty.
- (5) Unintended lift or drag of ground crew, leading to fatality or injury of a person.

3.5. External environment and meteorology

- (1) A collision or near collision on the ground or in the air, with an aircraft, terrain or obstacle which has or could have endangered the lighter-than-air vehicle, its occupants or any other person.
- (2) Interference with the lighter-than-air vehicle by firearms, fireworks, flying kites, laser illumination, high powered lights lasers, Remotely Piloted Aircraft Systems, model aircraft or by similar means.
- (3) Unexpected encounter of adverse weather conditions which has or could have endangered the lighter-than-air vehicle, its occupants or any other person.