



# **CIVIL AVIATION REGULATIONS**

## **PART III**

### **CAR-FAP**

# **AVIATION DISASTER FAMILY ASSISTANCE PLANNING**



## FOREWORD

1. An aircraft accident is an unexpected and usually catastrophic event. Concern for persons who have suffered distress and loss as the result of aircraft accidents has led to increased efforts within the aviation industry to establish means by which the needs of victims and their families can be addressed in a timely fashion.
2. During its 32nd Session in October 1998, the International Civil Aviation Organization (ICAO) Assembly considered the subject of assistance to aircraft accident victims and their families.
3. In 2001, in response to ICAO Assembly Resolution A32-7, ICAO issued a circular on Guidance on Assistance to Aircraft Accident Victims and their Families (Cir 285). In 2005, provisions were included in *Annex 9 – Facilitation*, to enable expeditious entry into a State in which an accident has occurred of family members of the victims of the accident. Further guidance on ICAO Policy was contained in *Doc 9998 – ICAO Policy on Assistance to Aircraft Accident Victims and their Families*, which was issued in 2013. An accompanying guideline (ICAO Doc 9973 which replaced the aforementioned ICAO Circular 285), was published which provided guidelines on implementing this policy. In February 2016, ICAO issued a Recommended Practice which stated that: "Contracting States should establish legislation, regulation and/or policies in support of assistance to aircraft accident victims and their families." (*Annex 9*, Chapter 8, Recommended Practice 8.46 refers).
4. The State of Occurrence, with the support of air operators and airport authorities, is responsible for providing assistance to victims of an aircraft accident and their families. When the location of the accident cannot definitely be established as being in the territory of any state, the State of Registry shall be responsible for providing such support.
5. This regulation reaffirms the commitment of the United Arab Emirates to:
  - a) ensure that adequate and sufficient assistance is provided to aircraft accident victims and their families;
  - b) establish legislation, regulations, and policies required to implement effective coordination and control of the efforts to provide the required family assistance;
  - c) require that commercial air transport operators flying to/from the United Arab Emirates implement family assistance plans, and ensure that these plans are exercised regularly, supervised and audited as necessary;
  - d) require that airport operators implement family assistance plans, which can be part of their airport emergency plans, in coordination with commercial air transport operators,



and ensure that these plans are exercised regularly, supervised, and audited as necessary;  
and

- e) require commercial air transport operators to have proper arrangements with airports in which they operate, so as to facilitate the provision of family assistance as required.
6. Conformity with the advisory material is mandatory unless there exist other means of compliance acceptable to the GCAA.
7. Acceptable Mean of Compliance (AMC): The AMC serves as a means by which the GCAA Civil Aviation Regulations can be met. However, regulated entities may decide to demonstrate compliance with the requirements using other means by proposing alternative means of compliance acceptable to the GCAA.
8. Guidance Material (GM): is non-binding explanatory and interpretation material on how to achieve the requirements of the CARs and the AMCs. It contains information, including examples, to assist the user in the interpretation and application of the GCAA Regulation, and the AMCs
- Should there be an error, please inform the GCAA Regulatory section at [regulations@gcaa.gov.ae](mailto:regulations@gcaa.gov.ae).
9. Regulation update:  
At the next opportunity:
- Chapters 1, 2 and 6 of this regulation will be moved to CAR PART VI
  - Chapter 3 will be moved to CAR-OPS 1 and CAR-OPS 3
  - Chapter 4 will be moved to CAR PART IX
  - Chapter 5 will be moved to CAR-FOR



### RECORD OF ISSUES AND DATE OF APPLICABILITY

Issue. No	Date of issue and date of Applicability
Issue: 01	Date of Issue: 05 <sup>th</sup> December 2017 Date of Applicability: 01 <sup>st</sup> June 2018



## TABLE OF CONTENTS

FOREWORD.....	2
RECORD OF ISSUES AND DATE OF APPLICABILITY .....	4
TABLE OF CONTENTS .....	5
1. INTRODUCTION.....	6
2. RESPONSIBILITIES.....	6
3. UAE AIR TRANSPORT OPERATORS FAMILY ASSISTANCE PLANS .....	7
4. AIRPORT OPERATORS FAMILY ASSISTANCE PLANS.....	11
5. FOREIGN AIR TRANSPORT OPERATORS FAMILY ASSISTANCE PLANS .....	12
6. DEFINITIONS.....	13



## 1. INTRODUCTION

- 1.1 The principal objective of family assistance is the provision of services and information to address the concerns and the needs of aircraft accident victims and their families.
- 1.2 An aircraft accident occurring in the United Arab Emirates or an accident occurring overseas involving an aircraft registered in the United Arab Emirates, may require a response on a national level. Such a response would involve many government departments, authorities, and non-governmental organizations including the Commercial Air Transport Operator and Airport Operator. An important element of the response is the National Aviation Disaster Family Assistance Plan of the United Arab Emirates, activated in consultation with the plans of the National Emergency Crisis and Disasters Management Authority (NCEMA).
- 1.3 The objective of this regulation is to establish the regulatory and coordination framework for the National Aviation Disaster Family Assistance Plan and the family assistance plans of commercial air transport operators operating from and to the United Arab Emirates. This regulation applies to codeshare flights.
- 1.4 This regulation shall form part of the Commercial Air Transport Operators Air Operators Certificate.

## 2. RESPONSIBILITIES

- 2.1 The National Aviation Disaster Family Assistance Plan shall be activated fully, or in part, by the Director General of the GCAA, in consultation with the Director General of NCEMA.
- 2.2 The GCAA shall conduct oversight of the Airline and Aerodrome Aviation Family Assistance Plans by carrying out audits, inspections, and by monitoring the results of exercises. The GCAA shall accept all aspects of the Plan, including documentation and training.
- 2.3 The GCAA shall:
  - (a) appoint a National Aviation Disaster Family Assistance Coordinator who shall report directly to the Director General. This position shall be filled by a suitably trained person, on a permanent full-time basis, with the necessary authority to ensure that appropriate actions are taken by all of the responsible entities, so that a proper level of care is afforded to the accident victims and the family members; and
  - (b) establish a UAE National Aviation Disaster Family Assistance Committee, chaired by the National Aviation Disaster Family Assistance Plan Coordinator and comprised of representatives of all involved government, semi-government, industry, and voluntary entities.
- 2.4 The name and contact details of the National Aviation Disaster Family Assistance Coordinator shall be published appropriately.
- 2.5 The National Aviation Disaster Family Assistance Coordinator shall:
  - (a) develop, implement and maintain an effective UAE National Aviation Disaster Family Assistance Plan to deal with an aircraft accident occurring within UAE territory;



- (b) ensure that UAE air operators' Family Assistance Plans include provisions to respond to an accident occurring outside UAE territory;
- (c) ensure that air operators and airport operators' Family Assistance Plans are consistent with the UAE National Aviation Disaster Family Assistance Plan;
- (d) coordinate the UAE National Aviation Disaster Family Assistance Plan with the National Emergency Crisis and Disaster Management Authority (NCEMA);
- (e) be available to facilitate contact between the appropriate government, semi-government, and voluntary entities, the concerned air operator, the survivors and families of victims, as soon as practicable following an accident;
- (f) direct and facilitate the operations of the Joint Family Support Operations Center (JFSOC).
- (g) coordinate, where practical, a visit to the accident site for family members after consultation and agreement with the Head of the Investigation Authority. Such a visit shall not impede the investigation and shall be safe to be undertaken by family members.
- (h) maintain contact with family members to advise them on the progress of the accident investigation and its objective;
- (i) coordinate briefings for family members concerning the investigation with the Investigator In Charge and the Head of the Investigation Authority prior to providing any public briefings,
- (j) invite family members to attend all public briefings; and
- (k) inform all family members, in advance, of the content of investigation reports to be published by the Investigation Authority.
- (l) Notwithstanding its non-executive authority, the National Aviation Disaster Family Assistance Committee shall:
  - (m) coordinate Aviation Disaster Family Assistance planning;
  - (n) coordinate the component plans of each concerned stakeholder;
  - (o) meet at least twice a year and communicate the minutes of each meeting to the Committee members and the senior management of each entity represented and the members of the NCEMA Committee; and
  - (p) publish an annual report providing information on the operational readiness of the Aviation Disaster Family Assistance Plan to cope with the aftermath of an aircraft accident.

### **3. UAE AIR TRANSPORT OPERATORS FAMILY ASSISTANCE PLANS**

3.1 UAE Air Transport Operators, conducting commercial air transport operations, shall establish, maintain, and implement an effective family assistance plan with sufficient and qualified resources to provide timely and effective assistance to aircraft accident victims and their families, including family notification and all aspects of victim and family logistical support. An operator may contract all or part of its family assistance plan to a third party service provider subject to the following requirements:

- (a) the operator remains responsible and accountable for the effective implementation of its family assistance plan; and



- (b) unrestricted access is granted to the GCAA by the operator to verify continued compliance with the intent of this chapter.

#### **AMC1 3.1**

The family assistance plan should contain mechanisms for periodic full-scale testing of the adequacy of the plan and for reviewing the results in order to improve the plans' effectiveness. The family assistance plan and testing mechanism should involve all participating agencies and associated resources.

Means to demonstrate the effectiveness of the family assistance plan may be, but are not limited to, annual full-scale exercises and tabletop exercises followed by partial exercise/tabletop exercises essential to ensure that any deficiencies found during a full-scale exercise have been corrected. A series of modular tests could be considered.

The GCAA should be notified of the date and time of exercises at least 30 working days in advance. Findings resulting from evaluation of exercises must be provided to the GCAA.

#### **GM 3.1**

Training should be commensurate with the roles and responsibilities held by personnel involved in the plan to ensure that they remain competent and ready for operation/implementation of the plan.

- 3.2 The initial issue and amendments to the operator's family assistance plan shall be accepted by the GCAA. If any part of the family assistance plan has been contracted to a third party service provider, a copy of the signed contract, in addition to the plan, shall be provided to the GCAA.
- 3.3 Operators shall integrate their family assistance plan into their emergency response plan required by CAR-SMS (i.e. CAR Part X). The operator's emergency response plan shall ensure that:
- (a) it is immediately activated:
- i. on direction of the GCAA Director General for an aircraft accident as part of the UAE National Aviation Disaster Family Assistance Plan; and
  - ii. as required by the aircraft operator for any other appropriate occurrence or by the GCAA; and
- (b) the GCAA is immediately informed when the family assistance plan has been activated unilaterally by the operator.



- 3.4 Operators shall ensure that a trained and competent person is appointed to manage the operator's family assistance plan, monitor its effectiveness, and report to the operator's senior management team accordingly.

**GM 3.4**

Depending on the size and complexity of their operations, operators should appoint a full time family assistance plan manager. If the size and complexity of operations allow it, the appointed person may carry out other duties such as emergency management duties.

- 3.5 Operators shall ensure passengers, before boarding a flight, are requested to provide the name and contact details of a person who may be contacted in the event of an emergency. If a passenger does not provide the requested next of kin information, they may be accepted for the flight, provided that their failure to provide the information is clearly recorded and a record is kept.

**GM 3.5**

The person to be contacted will preferably be next of kin and should not be onboard the same flight.

- 3.6 Information collected under 3.10 shall not be communicated to third parties, other than those directly involved in the Commercial Air Transport Operator's Family Assistance Plan, nor shall the information be used for commercial purposes;

- 3.6.1 On receipt of notification that an accident has occurred, the following elements of the Family Assistance Plan shall be activated:

- (a) The Operator's Crisis Management Center;
- (b) Secure and adequately resourced facilities, to be used as Family Assistance Centers at each affected airport and as required.

GM 3.6.1(b): It is important that the operator and the airport authority establish and implement an integrated plan for the provision of Family Assistance facilities at airports.

- (c) Commercial Air Transport Operator to make suitable arrangements with the appropriate authorities to ensure security of these facilities and The Joint Family Support Operations Center;
- (d) The following information (where available) is provided to the GCAA on receipt of notification of an aircraft accident:
  - i. Location of the accident, number of passengers and crew onboard, and number of injuries and fatalities (if known);
  - ii. Flight number, flight routing, demographics of passengers (if known);



- iii. Name and telephone number of the person(s) in charge of the Operator's family assistance response, passenger name list reconciliation, and family notification process; and
  - iv. Name, telephone number, and location of the facilities designated as the Family Assistance Centers and the Joint Family Support Operations Center;
- (e) The passenger name list remains confidential and classified until publication becomes possible. Passenger name lists shall be issued as soon as verification of passenger names is accomplished, and after next of kin have been notified and consulted;
  - (f) No information regarding the accident investigation is communicated to the public;
  - (g) Within one hour from the time of the accident, toll-free telephone number(s), catering for domestic UAE calls, with sufficient capacity and personnel to handle the anticipated call volume is provided and publicized. International enquiry phone numbers will be provided and publicized as soon as possible following the accident;
  - (h) Timely notification to the family members of passengers that their relatives' name appears on the preliminary verified passenger name list. The operator has no obligation to release the name of a victim of the accident, if the person's family do not wish the name to be released;
  - (i) notification to family members is provided prior to releasing passenger names to the public;
  - (j) a website, containing appropriate information for victims and family members, is activated within two hours of notification of an accident;

**GM 3.6 (j):**

The website, commonly referred to as a "dark site", is a preformatted site into which accident details and useful information for survivors and next of kin can be entered.

- (k) secure and private facilities at the affected departure, arrival, and intermediate airports, are provided for survivors and family members in coordination with airport operators;
- (l) secure accommodation for survivors and family members and transportation from their point of origin to a location near the accident site is provided together with transportation from the accommodation to the accident site, where the nature and safety of the accident site permits;
- (m) within the United Arab Emirates, appropriate counseling services are provided by an organization recognized by the relevant UAE government authority for social, emotional, and psychological support of the survivors and victims' families;



- (n) an air operator representative, who will accompany the appointed GCAA representative, if required, is appointed, who shall have sufficient authority to take decisions on behalf of the Commercial Air Transport Operator, or have immediate access to those who have such authority;
- (o) appropriate privacy and security arrangements for the families and the survivors are maintained at all times;
- (p) immediate financial assistance of minimum AED 80,000 is provided to the family of each victim. This payment shall be taken into account in the reckoning of any final compensation amount;
- (q) consult family members about memorial services and erection of memorial structures, including inscriptions, and facilitate their execution.
- (r) consult family members about funeral arrangements,
- (s) provide assistance with entry into the UAE on a temporary basis of family members of victims of an aircraft accident, and make arrangements for transportation, and accommodation;
- (t) facilitate the formation of a family association, if desired by the family members;
- (u) expatriation or disposition of human remains is done according to the wishes of the family members ; and
- (v) personal effects are stored and returned to the family members, unless they are needed for accident investigation, or a criminal investigation. Any unclaimed effects shall be securely retained by the Commercial Air Transport Operator for a period of at least 24 months from the date of the aircraft accident.

3.7 Operators shall make appropriate arrangements with the airports at which they operate, to facilitate and coordinate the provision of family assistance services.

#### 4. AIRPORT OPERATORS FAMILY ASSISTANCE PLANS

- 4.1 Airport Operators shall establish, implement and maintain a family assistance plan with sufficient and qualified resources to provide timely and effective assistance to the affected Commercial Air Transport Operator in the event of an accident.
- 4.2 An airport operator shall integrate its family assistance plan into its emergency response plan required by Part XI of the *Civil Aviation Regulations*. The emergency response plan shall ensure that:

- (a) the Family Assistance Plan is immediately activated:

For an aircraft accident,



For other occurrences to support the Commercial Air Transport Operators family assistance plan,

(b) The GCAA will be informed immediately when the airport Family Assistance Plan has been activated.

4.3 The initial issue and amendments to the Airport Operator family assistance plan shall be acceptable to the GCAA. If any part of the family assistance plan has been subcontracted to a third party service provider a copy of the signed contract, in addition to the plan, shall be provided to the GCAA.

4.4 The Airport Operator shall appoint a trained and competent person as family assistance coordinator who will be responsible of coordinating the airport family assistance plan and the plans of the Commercial Air Transport Operators.

4.5 The airport operator shall not issue any information to the public regarding the accident investigation, passenger name lists, or victim's details etc.

4.6 Any changes to the Airport Operator's plan are to be communicated immediately to the GCAA.

## **5. FOREIGN AIR TRANSPORT OPERATORS FAMILY ASSISTANCE PLANS**

5.1 Foreign air transport operators conducting commercial air transport operations to and from the United Arab Emirates will provide to the GCAA a letter, signed by the accountable manager, confirming that the operator has a family assistance plan that is equivalent to the plan described in this Regulation, and that the operator is committed to activating the Plan in the event of an accident occurring in the United Arab Emirates involving its aircraft.

5.2 A copy of the signed letter of commitment shall be provided by the GCAA to the National Aviation Disaster Family Assistance Coordinator.



## 6. DEFINITIONS

### **Air Accident –**

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

a) a person is fatally or seriously injured as a result of:

- being in the aircraft, or
- in direct contact with any part of the aircraft, including parts which have become detached from the aircraft, or
- direct exposure to jet blast, *except* when the injuries are from natural causes, self-inflicted or inflicted by other persons, or when the injuries are to stowaways hiding outside the areas normally available to the passengers and crew; or b) the aircraft sustains damage or structural failure which:
  - adversely affects the structural strength, performance or flight characteristics of the aircraft, and
  - would normally require major repair or replacement of the affected component, *except* for engine failure or damage, when the damage is limited to a single engine (including its cowlings or accessories), to propellers, wing tips, antennas, probes, vanes, tires, brakes, wheels, fairings, panels, landing gear doors, windscreens, the air skin (such as small dents or puncture holes), or for minor damages to main rotor blades, tail rotor blades, landing gear, and those resulting from hail or bird strike (including holes in the radome); or

c) the aircraft is missing or is completely inaccessible.

### **Air Accident Investigation Authority –**

A government agency, body or commission that has the primary responsibility for the investigation of aircraft accidents, as per Annex 13.

### **Commercial Air Transport operator –**

A person, organization or enterprise engaged in or offering to engage in an aircraft operation.

### **Airport Operator –**

A person, organization or enterprise engaged in the operation of an airport.

### **Emergency Exercise –**

An activity designed to promote emergency preparedness; evaluate emergency operations, policies, plans, procedures, and facilities; train personnel in emergency management and response duties; and demonstrate operational capability.



### **Family Assistance Center (FAC) –**

The Family Assistance Center (FAC) is the focus of services for family members when they travel to the accident location. FACs are designed to meet the immediate and short-term needs of family members:

safety, security, physiological needs (food, sleep), information (about the victim recovery and identification process, and the investigation), and crisis/grief counseling. The Commercial Air Transport Operator is responsible for providing the FAC.

**Family Member** – The term family member cannot be readily defined. Therefore, Commercial Air Transport operators should interpret family members in a broad and inclusive sense.

### **Joint Family Support Operations Center (JFSOC)**

The JFSOC coordinates all post-accident family member activities and resolves family assistance concerns and challenges during the on-scene phase of the response. Facilitated by the National Aviation Disaster Family Assistance Coordinator, the JFSOC includes representatives from each organization providing assistance to ensure efficient use of resources, sharing of information, and the provision of appropriate and professional services to families.

### **National Emergency Crisis and Disaster Management Authority (NCEMA)**

The mission of NCEMA is to enhance the capabilities of the United Arab Emirates in managing emergency, crisis and disaster by: setting the requirements of business continuity, enabling quick recovery through joint planning, and coordinating communication both at the national and local level.

### **Passenger Name List (PNL) –**

A list of all passengers in possession of a ticket, who are onboard a commercial aircraft with the intention of flight.

### **Providers of family assistance –**

Entities having a role in providing family assistance to accident victims and their families, such as government departments and agencies of the State where the accident occurred; the Commercial Air Transport operator; the airport operators; third parties (such as non-governmental aid agencies, commercial companies); and family associations.

### **State of Occurrence –**

The State in the territory of which an accident or incident occurs.

### **Survivor –**

A victim who is not fatally injured as a result of the aircraft accident.



**Verified Passenger Name List –**

A list of all passengers which has been verified using the commercial air transport operators verification procedure, who were onboard a commercial aircraft which was involved in an accident.

**Victim –**

An occupant of the aircraft, or any person outside the aircraft, who is unintentionally directly involved in the air accident. Victims may include the crew, revenue passengers, non-revenue passengers and third parties (ICAO Doc. 9998).