PART VI- CHAPTER 3

AIR ACCIDENTS AND INCIDENTS INVESTIGATION

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FOREWORD

1. In this Chapter, unless otherwise specified, wherever “accidents and incidents” term is mentioned, it shall be understood as ‘accidents, serious incidents, and incidents’.

2. The “GCAA” means the General Civil Aviation Authority of the United Arab Emirates.

3. This Chapter shall enter into force from 04th October 2012.

4. Future amendments of this Chapter shall be harmonized with amendments to ICAO Annex 13 or any other national or international new requirements.
## RECORD OF AMENDMENTS

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- New specification on the notification to ICAO of accidents and serious including deletion of reference to the name of the pilot in the notification of accidents and serious incidents. The specification also included notifying ICAO in accident/serious incidents involving turbo-jet powered airplanes regardless its mass.

- New provision concerning the investigation of serious incidents to aircraft of a maximum mass of over 2,250 kg.

- Expansion of provision concerning the extension of investigations based on lessons expected.

- Explicit provision concerning the separation of investigation from any judicial or administrative proceedings to apportion blame or liability.

- Explicit provision for the powers of investigators.

- Explicit provision concerning the disclosure of records, release of information and progress of the investigation.

- Explicit provision concerning the need to make the Final Report publicly available and release of an interim statement on each anniversary of the occurrence.

- Explicit provision in managing safety recommendations and related actions.

- Revised specifications in the use of “causes” and/or “contributing factors”.

- Explicit provision for ‘immediate notifications’ of accidents and serious incidents.

- Adding new sections for ‘dealing with the media’ reserving a section for ‘assistance to air accidents victims’ families’.

- Inclusion of a list of examples of serious incidents in Appendix A, and guidance for the determination of aircraft damage in Appendix B.
SECTION 1 - DEFINITIONS

Unless otherwise mentioned, terms used in this Chapter shall have the following meanings:

**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;
   - 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 aircraft skin (such as small dents or puncture holes), or for minor damages to main rotor blades, tail rotor blades, landing gear, and those resulting from hail or bird strike (including holes in the radome); or

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

**Note 1** - An aircraft is considered to be missing when the official search has been terminated and the wreckage has not been located.

**Note 2** - Guidance for the determination of aircraft damage can be found in Appendix B to this Chapter.

**Note 3** - In the case of investigation of an unmanned aircraft system, only aircraft with a design and/or operational approval are to be considered.

**Accredited Representative** - A person designated by a State, on the basis of his or her
qualifications, for the purpose of participating in an investigation conducted by another State.

**Adviser**- A person appointed by a State, on the basis of his qualifications, for the purpose of assisting its accredited representative in an investigation.

**Aerodrome/Airport Operator**- A person, organization or enterprise engaged in the operation, of an aerodrome/airport.

**Air Accident Investigation Sector ("AAIS")**- A unit within the General Civil Aviation Authority to perform the mandate of investigations into air accidents, serious incidents or selected incidents.

**Aircraft**- 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.

**Air Operator**- A person, organization or enterprise engaged in or offering to engage in aircraft operation.

**Air Traffic Control Unit**- A generic term meaning various Area Control Centre, Approach Control Office, or Aerodrome Control Tower.

**Authorized Person**- A person authorized by the GCAA, either generally or specifically, to have access to any aircraft involved in an accident or incident.

**Aviation Occurrence**- An accident, serious incident or incident or any situation, associated with the operation of an aircraft, or any situation or condition that the GCAA has reasonable grounds to believe could, if left unattended, induce an accident, incident or unsafe situation.

**Cause(s)**- Actions, omissions, events, conditions, or a combination thereof, which led to the accident or incident. The identification of causes does not imply the assignment of fault or the determination of administrative, civil or criminal liability.

**Civil Aircraft**- Any aircraft registered in an ICAO Contracting State.

**Collision**- An impact, other than an impact associated with normal operating circumstances, between aircraft, or between an aircraft and another object.

**Commander**- The pilot designated by the operator, or in the case of general aviation, the owner, as being in command and charged with the safe conduct of a flight.

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

**Crewmember**- A person assigned by an operator to duty on an aircraft during a flight duty period.

**Director General**- Director General of the General Civil Aviation Authority.
**Document**- Includes any correspondence, memorandum, book, plan, map, drawing, diagram, pictorial or graphic, film, sound recording, video tape, electronic files and data, and any copy thereof.

**Draft Report**- Draft investigation report that is sent in confidence to the interested parties in the UAE, State accredited representatives, and any other persons who in the opinion of the GCAA have a direct interest in the findings of the investigation, inviting their comments on the report.

**Family Member**- A persons who have blood or affinity relationship with the victim or survivor such as, wife, son and daughter, parent, brother and sister, uncle, nephew, parent, son, sister, or brother in law, etc.

**Fatal Injury**- Any injury, which results in death within thirty days of the accident.

**Flight Crewmember**- A licensed crewmember charged with duties essential to the operation of an aircraft during a flight duty period.

**Flight Recorder**- Any type of recorder installed in the aircraft for the purpose of complementing accident/incident investigation.

**GCAA**- The General Civil Aviation Authority of the United Arab Emirates.

**Foreign Aircraft**- Civil aircraft registered in a foreign state.

**Immediate Notification**- Means calling the GCAA’s published ‘Hotline’ as soon as an accident or serious incident comes to the knowledge of the person.

**Incident**- An occurrence, other than an accident, associated with the operation of an aircraft, which affects or could affect the safety of operations.

**Interested Party**- Any person, government authority/department, institution, organization, aviation society, air operator, aircraft owner, property owner, ministry or any other body the GCAA finds appropriate to have their limited participation in the investigation or receive comments on the GCAA’s draft reports.

**Investigation**- A process conducted for the purpose of accident prevention, performed in accordance with this Chapter and in conformity with Annex 13 to the Convention of Civil Aviation, which includes the gathering and analysis of information, the drawing of conclusions, including the determination of causes and/or contributing factors and, when appropriate, the making of safety recommendations.

**Investigating Committee**- A committee appointed by the Chairman of the General Civil Aviation Authority Board of Directors for the mandate of investigating fatal accidents.

**Investigation Team**- A team nominated by the Executive Director of AAIS, headed by the Investigator-In-Charge and encompassing AAIS investigator(s).

**Investigator**- An AAIS qualified person nominated to be a member of the investigation team.
**Investigator-In-Charge (“IIC”)**- An AAIS person charged, on the basis of his qualifications, with the responsibility for the organization, conduct and control of an investigation.

**Material**- Any aircraft component, part, wreckage piece, content, document, equipment or anything that the investigator thinks, on ground bases, that it might have a kind of involvement in the accident or incident, or might lead to an evidence to such involvement.

**Observer**- A representative nominated by an involved government department/authority who is authorized by the GCAA to attend a GCAA’s investigation as an observer.

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

**Reporting**- Submitting an occurrence report to the GCAA within specified time, if any, and by means established by the GCAA.

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

**Serious Incident**- An Incident involving circumstances indicating that there was a high probability of an accident and associated with the operation of an aircraft which, in case of manned aircraft, takes place between the time any person board 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 a place between the time the aircraft is ready to move with the purpose of flight until the such time as it comes to rest at the end of the flight and the primary propulsion system is shutdown.

**Note**- *Examples of serious incidents can be found in Appendix A to this Chapter.*

**Serious Injury**- Any injury, which is sustained by a person in an occurrence and which:

(a) requires hospitalization for more than 48 hours, commencing within 7 days from the date the injury was received;

(b) results in a fracture of any bone except simple fractures of fingers, toes, or nose;

(c) involves laceration which causes severe haemorrhages, nerve, muscle or tendon damage;

(d) involves injury to any internal organ;

(e) involves second or third degree burns, or any burns affecting more than 5 per cent of the body surface; or

(d) involves verified exposure to infectious substances or injurious radiation.
**State**- A contracting State of the International Civil Aviation Organization.

**State of Design**- The State having jurisdiction over the organization responsible for the type design.

**State of Manufacture**- The State having jurisdiction over the organization responsible for the final assembly of the aircraft.

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

**State of the Operator**- The State in which the operator’s principal place of business is located or, if there is no such place of business, the operator’s permanent residence.

**State of Registry**- The State in whose register the aircraft is entered.

**Note**- In the case of the registration of aircraft of an international operating agency on other than a national basis, the States constituting the agency are jointly and severally bound to assume the obligations which, under the Chicago Convention, attach to a State of Registry.

**Statement**- The whole or any part of an oral, written or recorded statement relating to an accident or incident given, by the author of the statement, to the investigation team; a transcription or substantial summary of a such as statement.

**State Safety Program (“SSP”)** - An integrated set of regulation and activities aimed at improving safety.

**State Territory** - The land areas and territorial waters adjacent thereto and the airspace above such areas or waters.

**Victim** - An occupant of the aircraft, or any person outside the aircraft, who is unintentionally directly involved in the aircraft accident. Victims may include the crew, revenue passengers, non-revenue passengers and third parties. A survivor is a victim who is not fatally injured as a result of the accident.
SECTION 2- APPLICABILITY

2.1 GENERAL

2.1.1 Unless otherwise stated, this Chapter applies to the following activities:

(a) Accidents, serious incidents, incidents, and other aviation occurrences involving a UAE registered civil aircraft wherever they occur;

(b) Accidents, serious incidents, incidents and other aviation occurrences involving a foreign aircraft if occurred in the territory of the UAE; and

(c) Accidents, serious incidents, incidents and other aviation occurrences involving both military and civil aircraft whether they occurred inside or outside the territory of the UAE in case the civil aircraft is registered in the UAE.

2.2 LEASED AND CHARTERED AIRCRAFT

2.2.1 In this Chapter, the provisions concerning the State of the Operator apply only when an aircraft is leased, chartered or interchanged and when that State is not the State of Registry and if it discharges, in part or in whole, the functions and obligations of the State of Registry.
SECTION 3- GENERAL

3.1 OBJECTIVE OF THE INVESTIGATION

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

3.1.2 Data, information, documents, evidence, recordings, statements and any other item collected through the investigation process shall not be used for liability and/or disciplinary action.

3.2 ORGANIZATION AND CONDUCT OF THE INVESTIGATION

3.2.1 The GCAA shall have independence in the conduct of the investigation and have unrestricted authority over its conduct, consistent with the provisions of this Chapter. The investigation shall include:

(a) the gathering, recording and analysis of all available relevant information on that accident or incident;

(b) if appropriate, the issuance of safety recommendations;

(c) if possible, the determination of the causes and/or contributing factors; and

(d) the completion of the Final Report.

3.2.2 Any investigation conducted under the provision of this Chapter shall be separate from any judicial or administrative proceedings to apportion blame or liability.

3.2.3 The extent of the investigation and the procedure to be followed in carrying out such an investigation shall be determined by the GCAA depending on the lessons it expects to draw from the investigation for the improvement of safety.

3.2.4 All investigations shall be held in privacy.

3.3 POWERS OF THE INVESTIGATOR

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

(a) call before him take statements, and examine any person as the investigator thinks fit, and to require such person to:

i. answer any questions;

ii. furnish any information;

iii. make and sign a declaration of the truth of the statements made by the person; and

iv. require the questions to be answered on oath or affirmation;
(b) require, as per the GCAA’s safe custody procedures, facilitations for the protection and preservation of the occurrence site(s), aircraft and any parts thereof, and all records and documents associated with an occurrence against further damage, access by unauthorized persons, pilfering and deterioration;

(c) enter and search any place or premises where an investigator believes, on reasonable grounds, that there is any material relevant, or likely to be relevant, to the conduct of an investigation of an aviation occurrence, and to seize any such material that is found in the course of that search.

After entering premises under this paragraph, the investigator may do any of the following:

(1) search the premises, and anything on the premises, for evidential material;

(2) make photos, video recordings, sound recordings or other records of the premises or evidential material;

(3) make copies of evidential material found on the premises;

(4) examine, take measurements of, conduct tests on, or take samples of, evidential material;

(5) operate equipment on the premises in order to access evidential material;

(6) in the case of evidential material that is equipment, operate the evidential material;

(7) remove evidential material from the premises with the consent of the owner or any person in charge unless locating such owner or person in charge is not possible;

(8) secure evidential material, pending the obtaining of a warrant to seize it; and

(9) take equipment and material onto the premises, and use it, for any of the above purposes.

(10) In such cases, the investigator shall not exercise the powers in relation to a particular place or premises without the consent of the person apparently in charge of that place unless those powers are so exercised under the authority of a warrant, or by reason of exigent circumstances where it will not be practical for the investigator to obtain a warrant. The investigator shall take reasonable steps to give to the occupier of the premises a written notice setting out the occupier’s rights and obligations;
(d) have unhampered access to flight recorders and ATS recordings, and have unrestricted control over it to ensure that a detailed examination can be made without delay by authorized personnel participating in the investigation;

(e) prohibit or limit access to the area immediately surrounding the place at which the material is located for such period as is necessary for the purposes of preserving and protecting any item involved, or likely to have been involved, in an aviation occurrence, whether or not the item has been seized under this Chapter.

In such cases, the investigator shall have regard to the desirability of minimizing any resulting disruption to transportation services;

(f) cause such material, including tests to destruction of the material that was seized for the purposes of the investigation, to the extent that it is practical and safe to do so and does not unreasonably impede the progress of the investigation.

The investigator may take all reasonable measures to invite the owner of the material, and any person who appears on reasonable grounds to be entitled to it, to be present at any such tests;

(g) require the provision and make copies of any documents that the investigator may consider relevant to the occurrence and retain such documents until the completion of the investigation, or, as the case may be, it is determined that an investigation shall not be carried out;

(h) require a person(s) who was(were) directly or indirectly involved in the operation of an aircraft to submit a medical examination where the investigator believes on reasonable grounds that the medical condition is, or may be, relevant to the investigation.

In such cases, the notice for medical examinations shall be made in writing and signed by the investigator;

(i) require a physician or other practitioner to provide medical information concerning a patient who, the investigator believes on reasonable grounds, that information concerning him/her is relevant to that investigation.

In such cases, the notice for medical information shall be made in writing and signed by the investigator;

(j) cause such an autopsy or medical examination to be performed on a body of a deceased person, where the investigator believes on reasonable grounds that the information derived from the autopsy and examination is, or may be, relevant to the conduct of the investigation.
In such cases, the notice for medical information shall be made in writing and signed by the investigator;

(k) require the person having custody of the body of the deceased person or other human remains to permit the performance of that autopsy or that medical examination;

In such cases, the notice for medical information shall be made in writing and signed by the investigator;

(l) call on the services of local police or other authorized persons to ensure protection of the accident site, including the aircraft and its contents, until such time as the IIC is able to directly take over custody and coordinate for security of the aircraft and its contents; and

(m) have free and uninterrupted access and admission to the flight deck at any time and phase of flight for the purpose of any investigation function. This shall not prevent the commander to request the investigator to occupy a seat in the passenger compartment in case of emergency or any other reason for the safety of the flight.

3.3.2 The GCAA may appoint additional experts from whatever national or international source, to assist the IIC in a particular investigation and such person(s) shall, for the purpose of doing so, have such the powers of the investigator, provided that such power delegated to him is made in writing.

3.3.3 The IIC, at any time, may publish, or cause to be published, information relating to an accident whether or not such an accident is subject to an investigation or undergoing a reopening of the original investigation.

3.3.4 Serving of notices or documents:

Any notice or other document required or authorized by any provision of this Chapter to be served on or given to any person, may be served or given:

(a) by delivering it to that person;

(b) by leaving it at his usual or last-known residence or place of business, whether in the UAE or elsewhere;

(c) by sending it to him by post at that address; or

(d) by sending it to him at that address by telex or facsimile, in which case the document is regarded as served when received.

3.4 PROTECTION OF EVIDENCE, CUSTODY AND REMOVAL OF AIRCRAFT

3.4.1 Protection of Evidence:

(a) No person shall have access to the site(s) unless the authorized by the GCAA.
(b) Neither the aircraft involved in an accident or serious incident nor its contents shall be removed or otherwise interfered with except under the authority of the GCAA.

(c) The aircraft may be removed or interfered with so far as may be necessary for the purpose of extricating persons or animals, removing any mails, valuables and dangerous goods carried by the aircraft, preventing destruction by fire or other cause, or preventing any danger or obstruction to the public or to air navigation or to other transport or, under the supervision of the IIC, or his delegate, for the purpose of removing any other property from the aircraft.

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

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

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

(g) The operator of an aircraft involved in an accident or serious incident shall retain all evidence dealing with the accident or serious incident, until authorized by the GCAA to the contrary.

3.4.2 Requests from State of Registry, State of the Operator, State of Design or State of Manufacture:

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

(b) Upon receiving a request under 3.4.2(a), the accredited representatives and their technical advisors shall have the rights to exercise their activities under their participation privileges and shall be lead by the IIC or delegate.
In such cases, and according to the IIC’s instructions, all or part of the investigator’s powers listed in 3.3 shall be vested to the accredited representatives and their advisors.

3.4.3 Release from Custody:

(a) Subject to the provisions of 3.4.3 (b), (c) and (d), the GCAA, as the competent authority of the State of Occurrence, shall release custody of the material if it is no longer required in the investigation, or after the final report is released, to any person or persons duly designated by the State of Registry or the State of the Operator, as applicable. For this purpose, the GCAA shall facilitate access to material except if the evidence exists in an area within which the GCAA finds it impracticable to grant such access. In such cases, the GCAA shall itself effect removal to a point where access can be given.

(b) Custody of the material shall be retained by the GCAA if any of the following exists:

1. When the pre-impact position, status or operation of an aircraft component or wreckage piece is likely to be a matter of controversy;

2. When the material is assessed to have either failed prior to impact, or otherwise involved in the circumstances leading up to the occurrence; or

3. When political implications, public interest or other circumstances are such that either controversy or news coverage is likely.

(c) For the return of any material taken or seized during an investigation, prior to releasing any such material:

1. All the reasonable examination, tests and analysis shall be completed with suitable documentation of the test and the findings results;

2. Prior to release of any wreckage, the owner of such evidence and any party having an interest in the wreckage shall be consulted;

3. Prior to release of any property other than wreckage, the relevant UAE legislation shall be applied; and

4. When disposing of the wreckage, or any hazardous materials, the IIC shall document all actions taken, particularly showing that the disposal was in accordance with the UAE environmental legislation.

(d) The release of wreckage and seized property shall be documented indicating that the wreckage or property is released by the IIC with an acknowledgement by the owner or other responsible authority of receipt of this wreckage or property.

(e) The GCAA shall have at its disposal, either directly or by means of the cooperation of any party, or through arrangements with other national authorities or entities, qualified personnel and adequate facilities, including
offices and hangars to enable the storage and examination of the aircraft, its contents and its wreckage.

(f) The IIC shall return the material, when it is no longer needed for the purposes of an investigation, to the owner or his delegate. However, if the IIC cannot, despite making reasonable efforts, locate the owner, the GCAA may dispose the item in such manner as the GCAA thinks appropriate.
SECTION 4- NOTIFICATION

4.1 APPLICABILITY

4.1.1 This Section contains rules pertaining to notification and reporting of accidents, serious incidents, incidents and certain other aviation occurrences of a UAE registered aircraft wherever they occur or foreign civil aircraft when such events occur in the territories of the UAE.

4.2 IMMEDIATE NOTIFICATION TO THE GCAA

4.2.1 Any person who has knowledge of the occurrence of accident or serious incident shall immediately notify the GCAA.

4.2.2 All air operators, ATC units, approved maintenance organizations, aerodrome operators, and local civil aviation departments shall establish a system of “immediate notification of air accidents and serious incidents” to the GCAA.

The system shall at least:

(a) Contain a list of occurrences that shall be immediately notified to the GCAA including accidents as defined in this Chapter and, at least, serious incidents listed in Appendix A to this Chapter.

(b) Be adequate to ensure that the accident or serious incident is notified by means established by the GCAA.

(c) Be educated to the concerned person(s) within the organization.

(d) Be documented in the organization’s applicable GCAA’s approved/accepted manuals.

4.3 RESPONSIBILITY OF THE GCAA AS THE COMPETENT AUTHORITY OF THE STATE OF OCCURRENCE

4.3.1 Applicability:

This paragraph applies to the responsibility of the GCAA as the competent authority of the State of Occurrence of an accident or serious incident to aircraft of another Contracting State.

4.3.2 Forwarding:

The GCAA shall forward a notification of an accident or serious incident, as per 4.3.3, with a minimum of delay, and by the most suitable and quickest means available, to:

(a) the State of Registry;

(b) the State of the Operator;

(c) the State of Design;

(d) the State of Manufacture; and
4.3.3 Format and content:

The notification shall be in plain English or Arabic language and contain as much of the following information as is readily available, but its dispatch shall not be delayed due to the lack of complete information:

(a) for accidents, the identifying abbreviation ACCID, for serious incidents INCID;
(b) manufacturer, model, nationality and registration marks, and serial number of the aircraft;
(c) name of owner, operator and hirer, if any, of the aircraft;
(d) qualification of the flight commander, and nationality of crew and passengers;
(e) date and time (local time or UTC) of the accident or serious incident;
(f) last point of departure and point of intended landing of the aircraft;
(g) position of the aircraft with reference to some easily defined geographical point and latitude and longitude;
(h) number of crew and passengers; aboard, killed and seriously injured; others, killed and seriously injured;
(i) description of the accident or serious incident and the extent of damage to the aircraft so far as is known;
(j) an indication to what extent the investigation will be conducted or is proposed to be delegated by the GCAA to other State;
(k) physical characteristics of the accident or serious incident area, as well as an indication of access difficulties or special requirements to reach the site;
(l) identification of the GCAA and means to contact the Investigator-In-Charge; and
(m) presence and description of dangerous goods on board the aircraft.

4.3.4 Additional information:

As soon as it is possible to do so, the GCAA shall dispatch the details omitted from the notification as well as other known relevant information.

4.4.1 Applicability:

This paragraph applies to the responsibility of the GCAA as the competent authority of the State of Registry, the State of the Operator, the State of Design, or the State of Manufacture for an accident or serious incident occurs in another Contracting State.

4.4.2 Information- Participation:

Upon receipt of the notification, the GCAA, shall, as soon as possible, provide the State of Occurrence with any relevant information available to it regarding the aircraft and flight crew involved in the accident or serious incident. The GCAA shall also inform the State of Occurrence whether it intends to appoint an accredited representative and, if such an accredited representative is appointed, the name and contact details as well as the expected date of arrival if the accredited representative will travel to the State of Occurrence.

4.4.3 Forwarding:

When the State of Occurrence is not aware of a serious incident, the GCAA as the competent authority of the State of Registry or the State of the Operator, as appropriate, shall forward a notification of such incident to the State of Design, the State of Manufacture, and the State of Occurrence.

4.5 ACCIDENTS OR SERIOUS INCIDENTS IN THE TERRITORY OF THE UAE, IN A NON-CONTRACTING STATE OR OUTSIDE THE TERRITORY OF ANY STATE

4.5.1 When the GCAA, as the competent authority of the State of Registry, institutes the investigation of an accident or serious incident, the GCAA shall forward a notification in accordance with 4.3.3, with a minimum of delay, and by the most suitable and quickest means available, to:

(a) the State of the Operator;
(b) the State of Design;
(c) the State of Manufacture; and
(d) the International Civil Aviation Organization, when the aircraft involved is of a maximum mass of over 2,250 kg or is a turbojet powered airplane.

4.5.2 Upon receipt of the notification, the GCAA, as the competent authority of the State of Registry, shall request the State of the Operator, the State of Design and the State of Manufacture, to provide any relevant information available to them regarding the aircraft and flight crew involved in the accident or serious incident.

4.5.3 The GCAA, as the competent authority of the State of Registry, shall entitle the other States to appoint an accredited representative.

4.5.4 Upon receipt of any notification, the GCAA, as the competent authority of the State of the Operator, shall with a minimum of delay and by the most suitable and quickest means available, provide the State of Registry with details of dangerous goods onboard the aircraft.
SECTION 5- INSTITUTING AND CONDUCTING THE INVESTIGATION

5.1 APPLICABILITY

5.1.1 This Section is applicable when the GCAA becomes the competent authority of the State of Occurrence or the State conducting the investigation.

5.2 GENERAL

5.2.1 The GCAA, as the competent authority of the State of Occurrence, shall institute an investigation into the circumstances of accidents, serious incidents and selected incidents.

5.2.2 The GCAA, as the competent authority of the State of Occurrence, shall conduct the investigation into the circumstances of accidents, serious incidents and selected incidents. The GCAA may delegate the whole or any part of the conducting of such investigations to another State or to a regional investigation organization by mutual arrangement and consent. In any event, the GCAA shall use every means to facilitate the investigation.

5.3 INVESTIGATION COMMITTEE

5.3.1 For the purpose of carrying out an investigation into the circumstances and causes of accidents to which this Chapter applies, the GCAA shall convene an “Accident Investigation Committee”.

5.3.2 Any person participating in the “Accident Investigation Committee” shall perform his duties independently and shall neither seek nor accept instructions from anybody other than the IIC.

5.3.3 When an accident or incident involves a civil aircraft with a military aircraft, a committee shall be composed of equal numbers of Investigators appointed by the GCAA and those of the relevant Military Aviation Authority. The committee shall be under the direction of the IIC.

5.4 DESIGNATION OF THE INVESTIGATOR-IN-CHARGE

5.4.1 The GCAA shall designate Investigator-In-Charge of the investigation, who shall initiate the investigation immediately.

5.5 FURNISHING OF INFORMATION

5.5.1 Where an accident, serious incident or incident, to which this Chapter applies, occurs, whether in the territory of the UAE or elsewhere, the owner, operator, flight commander, hirer or any other person involved in the loading or operation of the aircraft shall, if so required by notice in writing given to him by a GCAA’s investigator, send to the investigator, within such time as may be specified in the notice, such information as is in his possession or control with respect to the accident and in such form as the investigator may require.
5.6 **OBSTRUCTION OF INVESTIGATIONS**

5.6.1 A person shall not obstruct or impede an investigator, or any person acting under the authority of the GCAA, in the exercise of any powers or duties under this Chapter.

5.6.2 A person shall not, without reasonable excuse, fail to comply with any summons or requisition of an investigator conducting an investigation or undertaking any inquiries with a view to determining whether any investigation should be held under this Chapter.

5.7 **DISCONTINUANCE OF INVESTIGATION**

5.7.1 The IIC, may determine that any investigation being conducted into a serious incident or incident is to be discontinued. In the event of a formal investigation being discontinued, no final report shall be published. However, public notice should be given, in such a manner as the IIC may determine, that the investigation has been discontinued.

5.7.2 Following the discontinuance of any investigation, the IIC shall submit to the GCAA, such information as he considers desirable in the interest of future safety analysis.

5.8 **IIC's REPORT AND APPEAL**

5.8.1 Subject to 5.8.2, upon completion of a formal investigation, the IIC shall submit a draft final report to the GCAA. The report shall state the facts relating to the accident, serious incident or incident followed by an analysis of the facts and conclusions as to the causes and contributing factors, together with any proposed safety recommendations.

5.8.2 In respect of an accident, no report(s) shall be submitted in accordance with 5.8.1 unless the IIC has:

   (a) where it appears to him to be practicable to do so, served notice under this Chapter upon the operator and commander of the aircraft involved in the accident and on any person whose reputation is, in the IIC's opinion, likely to be adversely affected by the report or, if any of the foregoing be a deceased individual, upon such person or persons as appear to the IIC, at the time he proposes to serve notice, to represent best the interest of the deceased in the matter; and

   (b) considered any representations, which may be made to him by or on behalf of the persons served with such a notice.

5.8.3 The notice referred to in 5.8.2, shall include particulars of any proposed analysis of facts and conclusions as to the causes of the accident, which may affect the person on whom or in respect of whom the notice is served.

5.8.4 Written representations made to the IIC shall be within 28 days from the service of the notice. The IIC shall have the power to extend such period, and this power may be exercised notwithstanding that the period so prescribed has expired.
5.8.5 After considering the written representation, the IIC may determine that the person(s) concerned shall be heard by the “Accident Investigation Committee” and shall have the right to give evidence, produce witnesses and examine any other witnesses giving evidence. The Investigator(s) who made the report shall be entitled to be heard.

5.8.6 The “Accident Investigation Committee” shall have full investigative powers under this Chapter and, in addition, the IIC may administer an oath to or require a solemn affirmation from any witness.

5.8.7 Where new and important evidence is given which was not provided to the original investigation, the “Accident Investigation Committee” may recommend that the investigation be re-opened.

5.8.8 Where at any time the “Accident Investigation Committee” is satisfied that any of the findings and conclusions in the IIC’s report do not adversely affect the reputation of the person in respect of whom the notice was served, the “Accident Investigation Committee” may recommend to the IIC that the proceedings in respect of those findings and conclusions be discontinued and the report be submitted to the GCAA.

5.9 RESERVED

5.10 FLIGHT RECORDERS

5.10.1 Whenever practicable, the GCAA, when conducting the investigation, shall arrange for the readout of the flight recorders without delay.

5.10.2 In the event that the GCAA does not have adequate facilities to read out the flight recorders, it shall use the facilities made available to it by other States, giving consideration to the following:

(a) the capabilities of the readout facility;
(b) the timeliness of the readout; and
(c) the location of the readout facility.

5.11 OTHER RECORDINGS

5.11.1 The GCAA, when conducting the investigation, shall arrange for obtaining any other recordings that may be useful to the investigation.

5.12 AUTOPSY EXAMINATIONS

5.12.1 The GCAA, when conducting the investigation into a fatal accident, shall arrange for complete autopsy examination of fatally injured flight crew and, subject to the particular circumstances, of fatally injured passengers and cabin crew, by aviation pathologist. These examinations shall be expeditious and complete.

5.13 COORDINATION- JUDICIAL AUTHORITIES

5.13.1 The GCAA, when conducting the investigation, shall recognize the need for
coordination between the IIC and the judicial authorities. Particular attention shall be given to evidence, which requires prompt recording and analysis for the investigation to be successful, such as the examination and identification of victims and readouts of flight recorder recordings.

5.14 MEDICAL EXAMINATIONS

5.14.1 When appropriate, the GCAA, when conducting the investigation, shall arrange for the medical examination of the crew, passengers and involved aviation personnel by a physician experienced in accident investigation. These examinations should be expeditious.

5.15 INFORMING SECURITY OR JUDICIAL AUTHORITIES

5.15.1 If, in the course of an investigation it becomes known, or it is suspected, that an act of unlawful interference was involved, the IIC shall immediately initiate action to ensure that the security unit within the GCAA is so informed.

5.16 NON-DISCLOSURE OF RECORDS

5.16.1 The GCAA, when conducting an investigation, shall not make the following records available for purposes other than the investigation unless the UAE Ministry of Justice determines that their disclosure outweighs the adverse domestic and international impact such action may have on that or any future investigations:

(a) all statements taken from persons in the course of the investigation;
(b) all communications between persons having been involved in the operation of the aircraft;
(c) medical or private information regarding persons involved in the accident or incident;
(d) cockpit voice recordings and transcripts from such recordings;
(e) recordings and transcripts of recordings from air traffic control units;
(f) cockpit airborne image recording and any part or transcripts from such recording; and
(g) opinions expressed in the analysis of information, including flight recorder information.

5.16.2 These records shall be included in the final report or its appendices only when pertinent to the analysis of the accident or incident. Parts of the records not relevant to the analysis shall not be disclosed.

5.17 RE-OPENING OF INVESTIGATION

5.17.1 If, after the GCAA investigation has been closed, new and significant evidence becomes available, or when 5.8.7 becomes valid, the GCAA, if it conducted the investigation, shall re-open it. However, if the GCAA intends to re-open an investigation that was originally instituted by a foreign state, the GCAA shall first
obtain the consent of that State.

5.17.2 Any re-opened investigation shall be subject to and conducted in accordance with the provisions of this Chapter.

5.18 **ENTITLEMENT OF ACCREDITED REPRESENTATIVES**

5.18.1 The GCAA shall entitle the State of Registry, the State of the Operator, the State of Design and the State of Manufacture to appoint an accredited representative to participate in its investigations.

5.18.2 The GCAA shall entitle the State of Registry and the State of the Operator to appoint one or more advisers proposed by the operator to assist its accredited representative. When either the State of Registry or the State of the Operator does not appoint an accredited representative, the GCAA, as the competent authority of the State conducting the investigation, shall invite the operator to participate.

5.18.3 The GCAA shall entitle the State of Design and the State of Manufacture to appoint one or more advisor proposed by the organization responsible for the type design and final assembly of the aircraft to assist its accredited representative. When either the State of Design or the State of the Manufacture does not appoint an accredited representative, the GCAA, as the competent authority of the State conducting the investigation, shall invite the type design organization or aircraft manufacture to participate.

5.18.4 The GCAA, as the authority conducting the investigation, shall entitle any State, which on request provides information, facilities or experts to the GCAA, to appoint an accredited representative to participate in the investigation.

5.18.5 For the interest of safety, the GCAA may entitle any regional or international body to the extent necessary to enable the IIC to make his investigation effective.

5.18.6 Advisors assisting an accredited representative shall be permitted, under the accredited representative’s supervision, to participate in the investigation to the extent necessary to enable the accredited representative to make his or her participation effective.

5.19 **PARTICIPATION IN THE INVESTIGATION**

5.19.1 Participation in the investigation shall confer entitlement to participate in all aspects of the investigation, under the control of the IIC, in particular to:

(a) visit the accident site;
(b) examine the wreckage;
(c) obtain witness information and suggest areas of questioning;
(d) have full access to all relevant evidence as soon as possible;
(e) receive copies of all pertinent documents including documents such as the reports on examinations of components or studies performed within the framework of the investigation;
(f) participate in readouts of recorded media;
(g) participate in off-site investigative activities such as component examinations, technical briefings, tests and simulations;
(h) participate in investigation progress meetings including deliberations related to analysis, findings, causes and safety recommendations; and
(i) make submissions in respect of the various elements of the investigation.

5.20 PARTICIPATION OF STATES HAVING SUFFERED FATALITIES OR SERIOUS INJURIES TO ITS CITIZENS

5.20.1 A State, which has a special interest in an accident, by virtue of fatalities or serious injuries to its citizens shall, upon making a request to do so, be permitted by the GCAA, as the competent authority of the State conducting the investigation, to appoint an expert who shall be entitled to:

(a) visit the accident site;
(b) have access to the relevant factual information which is approved by the GCAA for public release and information on the progress of the investigation;
(c) participate in the identification of the victims;
(d) assist in questioning surviving passengers who are citizens of the expert’s State; and
(e) receive a copy of the Final Report.

5.21 VICTIMS’ FAMILY MEMBERS AND FRIENDS- REQUESTS FOR INFORMATION RECORDED IN FLIGHT AND ATC RECORDERS AND THEIR TRANSCRIPTS

5.21.1 Except for the investigation purposes, and as the IIC determines that it is necessary for the accident investigation purposes, victims’ family members, friends or their representatives, shall not listen or have an access to any of the flight or ATC recorded information or their transcripts.

5.22 ACCIDENTS, SERIOUS INCIDENTS AND INCIDENTS OUTSIDE THE TERRITORY OF ANY STATE

5.22.1 When the location of the accident, the serious incident or incident cannot definitely be established as being in the territory of any State, the GCAA, as the competent authority of the State of Registry, shall institute and conduct the investigation of the accident, serious incident or selected incident. The GCAA may delegate the whole or any part of the investigation to another State by mutual arrangement and consent.

5.22.2 The GCAA, as the competent authority of the State of Registry, shall establish communication with the states nearest to the scene of an accident in international waters requesting assistance as they are able for the purpose of conducting the investigation.
SECTION 6- INVESTIGATIONS CONDUCTED BY FOREIGN STATES

6.1 APPLICABILITY

6.1.1 This Section is applicable to:

(a) investigations conducted by foreign states into UAE registered aircraft accidents or serious incidents that occur outside the UAE; and

(b) investigations conducted by foreign states where the UAE has a kind of interest or in a position that requires the fulfillment of international obligations.

6.2 PARTICIPATION

6.2.1 When a State conducting an investigation into an accident or serious incident to an aircraft of a maximum mass of over 2,250 kg specifically requests participation of the GCAA, as the competent authority of the State of Registry, the State of the Operator, the State of Design or the State of Manufacture, the GCAA shall appoint an accredited representative.

6.3 DELEGATIONS

6.3.1 The GCAA, as the competent authority of the State of Registry, the State of the Operator, the State of Design or the State of Manufacture shall, if delegated by the State of the Occurrence or a mutual arrangement is reached with a non-contracting State of Occurrence, institute and conduct an investigation into the accident.

6.3.2 The GCAA, as the competent authority of the State of Registry, the State of the Operator, the State of Design or the State of Manufacture may, if delegated by the State of Occurrence or a mutual arrangement is reached with a non-contracting State of Occurrence, institute and conduct an investigation into the serious incident.

6.4 FLIGHT RECORDERS

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

6.5 ORGANIZATIONAL INFORMATION

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

6.6 PROVISION OF INFORMATION

6.6.1 The GCAA shall, on request from the State conducting the investigation, provide that
State with all the relevant information available to it.

6.6.2 The GCAA, in regard to any facilities or services of which have been, or would normally have been, used by an aircraft prior to an accident or an incident, and which has information pertinent to the investigation, shall provide such information to the State conducting the investigation.

6.7 OBLIGATIONS

6.7.1 The accredited representative appointed by the GCAA to participate in investigation conducted by foreign state and his nominated advisors, shall:

(a) provide the state conducting the investigation with all relevant information available to them; and

(b) not divulge information on the progress and the findings of the investigation without the express consent of the State conducting the investigation.
SECTION 7- FINAL REPORT

7.1 RELEASE OF INFORMATION- CONSENT

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

7.2 CONSULTATION

7.2.1 The GCAA, as the competent authority of the State conducting the investigation, shall send a copy, as soon as possible and on confidential basis, of the draft final report to the State which instituted the investigation and to all States that participated in the investigation, inviting their significant and substantiated comments on the report. The draft final report of the investigation shall be sent for comments to:

(a) the State of Registry;
(b) the State of the Operator;
(c) the State of Design;
(d) the State of Manufacture; and
(e) Any other States or parties the GCAA finds appropriate to receive comments from it.

7.2.2 If the GCAA receives comments within sixty days of the date of the transmittal letter, the GCAA shall either amend the draft final report to include the substance of the comments received, or if desired by the State that provided comments, append the comments to the final report. If the GCAA receives no comments within sixty days of the date of the first transmittal letter, it shall issue the final report to the recipient States unless an extension of that period has been agreed by the States concerned.

7.2.3 A person who receives a draft report under 7.2.1(e) shall not:

(a) make a copy of the whole or any part of the report;
(b) disclose any of the contents of the report to any other person; or
(c) use it to any disciplinary or legal proceedings.

7.3 RECIPIENTS OF THE FINAL REPORT

7.3.1 The GCAA, as the competent authority of the State conducting the investigation, shall send, with a minimum of delay, the final report to:

(a) the State which instituted the investigation;
(b) the State of Registry;
(c) the State of the Operator;
(d) the State of Design;
(e) the State of Manufacture;
(f) any States having suffered fatalities or serious injuries to its citizens; and
(g) any State which provided relevant information, significant facilities or experts.

7.4 PUBLICATION OF REPORTS

7.4.1 Public Access:

(a) The Director General shall, unless in his opinion there are valid reasons to the contrary, cause the investigation reports to be made public, wholly or in part, in such manner as it is appropriate.

(b) In the interest of accident prevention, the GCAA shall make every possible effort to release the final report as soon as possible, within twelve months of the date of the occurrence. If the Final Report cannot be made publicly available within twelve months, the GCAA shall make an interim statement publicly available on each anniversary of the occurrence, detailing the progress of the investigation and any safety issues raised.

7.4.2 Format:

The format of the final report shall be in conformity with Annex 13 to the Convention on International Civil Aviation.
SECTION 8- SAFETY RECOMMENDATIONS

8.1 GENERAL

8.1.1 At any stage of the investigation of an accident or incident, the GCAA, as the investigation authority, shall recommend to the appropriate authorities, including those in other States, and other parties as appropriate, any preventative action, which it considers necessary to be taken promptly to enhance aviation safety.

8.1.2 The GCAA, if conducting investigations of accidents or incidents, shall address, when appropriate, any safety recommendations arising out of its investigations to the accident investigation authorities of other State(s) concerned, other parties as appropriate, and, when ICAO documents are involved, to ICAO.

8.1.3 The GCAA may make public a status report of its issued safety recommendations and a brief of the related correspondences of each.

8.1.4 The GCAA may also issue safety recommendations on the basis of studies or analysis of a series of investigations or any other activities conducted in accordance with this Chapter.

8.1.5 A safety recommendation shall in no case create a presumption of blame or liability for an accident, serious incident or incident.

8.2 ACTION ON SAFETY RECOMMENDATIONS

8.2.1 On receipt of any safety recommendations or other proposals for preventative action, the GCAA shall inform the proposing State, within ninety days of the date of the transmittal correspondence, of the preventative action taken or under consideration, or the reasons why no action will be taken.

8.2.2 On receipt of any safety recommendations or other proposals for preventative action, all addressees in the UAE shall, within ninety days of the date of the transmittal correspondence:

(a) take that recommendation into consideration and, where appropriate, act upon it; and

(b) send to the GCAA-

(1) full details of the measures, if any, it has taken or proposes to take to implement the recommendation and, in a case where it proposes to implement measures, the timetable for securing that implementation;

(2) a full explanation, including a safety assessment study, as to why the recommendation is not to be the subject of measures to be taken; or

(3) a notice, if at any time, any information provided to the GCAA in pursuance of 8.2.2(b)(1) and 8.2.2(b)(2) concerning the measures it proposes to take or the timetable for securing their implementation is rendered inaccurate by any change of circumstances.
8.2.3 The GCAA shall, within sixty days of the receipt of the reply, inform the addressee whether or not it considers the reply adequate and give justification when it disagrees with the decision to take no action.

8.2.4 The GCAA shall implement procedures to record the responses to the safety recommendations it issued.

8.2.5 Each addressee, within the UAE, receiving a GCAA’s safety recommendation or a safety recommendation issued by a foreign investigation authority, shall implement procedures to monitor the progress of the action taken in response to the safety recommendation received. The procedure shall be part of the addressee’s Safety Management System.

8.2.6 The GCAA shall take all the necessary actions to apply 8.2.2 and 8.2.3 to foreign addressees receiving a GCAA’s safety recommendation including the authorities responsible for civil aviation.
SECTION 9 - ACCIDENT/INCIDENT DATA REPORTING

9.1 PRELIMINARY REPORT

9.1.1 Accidents to Aircraft over 2,250 kg:

When the aircraft involved in an accident is of a maximum mass of over 2,250 kg, the GCAA, as the competent authority of the State conducting the investigation, shall send a preliminary report to:

(a) the State of Registry or the State of Occurrence, as appropriate;
(b) the State of the Operator;
(c) the State of Design;
(d) the State of Manufacture;
(e) any State which provided relevant information, significant facilities or experts; and
(f) the International Civil Aviation Organization.

9.1.2 Accidents to Aircraft of 2,250 kg or Less:

When an aircraft of a maximum mass of 2,250 kg or less is involved in an accident, and when airworthiness or matters considered to be of interest to other States are involved, the GCAA, as the competent authority of the State conducting the investigation, shall forward the preliminary report to:

(a) the State of Registry or the State of Occurrence, as appropriate;
(b) the State of the Operator;
(c) the State of Design;
(d) the State of Manufacture; and
(e) any State, which provided relevant information, significant facilities or experts.

9.1.3 Language:

The preliminary report shall be submitted to appropriate States and to the International Civil Aviation Organization in English language.

9.1.4 Dispatch:

The preliminary report shall be sent by facsimile, e-mail, or airmail within thirty days of the date of the accident unless the accident/incident data report has been sent by that time. When matters directly affecting safety are involved, it shall be sent as soon as the information is available and by the most suitable and quickest means available.

9.2 ACCIDENT/INCIDENT DATA REPORT

9.2.1 Accidents to Aircraft over 2,250 kg:
When the aircraft involved in an accident is of a maximum mass of over 2,250 kg, the GCAA, as the competent authority of the State conducting the investigation, shall send, as soon as practicable after the investigation, accident data report to the International Civil Aviation Organization.

9.2.2 Serious Incidents Involving Aircraft over 5,700 kg:

The GCAA, as the competent authority of the State conducting the investigation into a serious incident to an aircraft of a maximum mass of over 5,700 kg, shall send, as soon as is practicable after the investigation, incident data report to the International Civil Aviation Organization.

9.2.3 Additional Information:

The GCAA, as the competent authority of the state conducting the investigation, shall, upon request, provide other states with pertinent information additional to that made available in the accident/incident data report.
SECTION 10- ACCIDENT PREVENTION MEASURES

10.1 MANDATORY REPORTING
10.1.1 Notwithstanding 4.2, all GCAA’s certificate holders shall establish a system to report to the GCAA, following Civil Aviation Advisory Publications “CAAP” 22- “Safety Incident Reporting”, as amended, any accident, serious incident or incident within 72 hours from the time of occurrence,

10.2 VOLUNTARY REPORTING
10.2.1 The GCAA shall establish a voluntary occurrence reporting system to facilitate collection of information on actual or potential safety deficiencies that may not be captured by the mandatory incident reporting system. The voluntary occurrence reporting system shall be non-punitive and afford protection to the sources of the information.

10.2.2 All GCAA certificate holders shall establish a system to educate their personnel of how to report an actual or potential safety deficiency through the GCAA’s voluntary occurrence reporting system established in CAAP 57- “Voluntary Occurrence Reporting System”, as amended.

10.3 DATABASE AND ANALYSIS- PREVENTATIVE ACTIONS
10.3.1 The GCAA shall establish and maintain an accident, incident reporting system to facilitate the effective analysis of the information on actual or potential safety deficiencies obtained, and to determine any preventative actions required.

10.3.2 The database systems shall use standardized formats to facilitate data exchange.
SECTION 11- DEALING WITH THE MEDIA

11.1 GENERAL

11.1.1 The GCAA shall establish a system to promote dissemination, on regular basis, of factual information of an accident and the progress of its investigation to the media.

11.1.2 The system shall ensure that speculation and rumors about the accident are minimized and that the released facts do not cause prejudice to the investigation and that the needs of the media do not interfere with the proper conduct of the investigation.

11.2 MEDIA ACCESS TO THE ACCIDENT SITE

11.2.1 If conditions permit, and considering limitations posed by physical and biomedical hazards, the IIC may grant admittance for the news media, either in total or in a pool arrangement, to limited access to the accident site itself.

11.2.2 The news media staff shall not interfere with the investigation work and shall always be escorted by the IIC or his delegate.

11.3 PRESS AND MEDIA RELEASE

11.3.1 Nobody, other than a designated person by the Director General, may release, or cause to be released, any information to the media about the progress of the investigation, on any findings or causes thereof.

11.3.2 The accident investigation authorities and the accredited representatives and their advisers participating in an investigation shall not give the media or the public access to any documents obtained during the investigation without the express consent of the Director General.

11.3.3 Other organizations involved or affected by the accident, such as airlines, airports, emergency services and aircraft manufacturers, may release information to the media on their related fields.
SECTION 12 ACCIDENT’S VICTIMS AND THEIR FAMILIES

Reserved
APPENDIX A- LIST OF EXAMPLES OF SERIOUS INCIDENTS

The incidents listed are typical examples of incidents that are likely to be serious incidents. The list is not exhaustive and only serves as guidance to the definition of serious incident.

- Near collisions requiring an avoidance maneuver to avoid a collision or an unsafe situation or when an avoidance action would have been appropriate.
- Controlled flight into terrain only marginally avoided.
- Aborted take-offs on a closed or engaged runway, on a taxiway, excluding authorized operations by helicopters, or unassigned runway.
- Take-offs from a closed or engaged runway, from a taxiway, excluding authorized operations by helicopters, or unassigned runway.
- Landings or attempted landings on a closed or engaged runway, on a taxiway, excluding authorized operations by helicopters, or unassigned runway.
- Gross failures to achieve predicted performance during take-off or initial climb.
- Fires and smoke in the passenger compartment, in cargo compartments or engine fires, even though such fires were extinguished by the use of extinguishing agents.
- Events requiring the emergency use of oxygen by the flight crew.
- Aircraft structural failures or engine disintegrations, including uncontained turbine engine failures, not classified as an accident.
- Multiple malfunctions of one or more aircraft systems seriously affecting the operation of the aircraft.
- Flight crew incapacitation in flight.
- Fuel quantity requiring the declaration of an emergency by the pilot.
- Take-off or landing incidents. Incidents such as undershooting, overrunning or running off the side of runways.
- System failures, weather phenomena, operations outside the approved flight envelope or other occurrences which could have caused difficulties in controlling the aircraft.
- Failures of more than one system in a redundancy system mandatory for flight guidance and navigation.
APPENDIX B- GUIDANCE FOR THE DETERMINATION OF AIRCRAFT DAMAGE

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

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

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

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

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

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

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

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

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

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

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

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

Note 3- The cost of repairs, or estimated loss, such as provided by insurance companies may provide an indication of the damage sustained but should not be used as the sole guide as to whether the damage is sufficient to count the occurrence as an accident. Likewise, an
aircraft may be considered a "hull loss" because it is uneconomic to repair, without it having incurred sufficient damage to be classified as an accident.