

Issued: 16.3.2011	Enters into force: 1.4.2011	Validity: Until further notice
Legal basis: This regulation has been issued by virtue of the Finnish Aviation Act (1194/2009), sections 126 and 131, and taking into account Annexes 6 and 13 to the Convention on International Civil Aviation, Regulation (EU) No 996/2010 of the European Parliament and of the Council on the investigation and prevention of accidents and incidents in civil aviation and repealing Directive 94/56/EC, and Directive 2003/42/EC of the European Parliament and of the Council on occurrence reporting in civil aviation.		
Modification details: This regulation repeals Aviation Regulation GEN M1-4 on the reporting of accidents, serious incidents and occurrences, issued on 30 August 2006.		
Scope of application: Accidents, serious incidents and occurrences in civil aviation within the Finnish territory shall be reported in accordance with this regulation. The regulation also applies to aviation outside Finland with Finnish aircraft or under an air operator certificate issued in Finland.		

Reporting of accidents, serious incidents and occurrences

CONTENTS

1	DUTY TO REPORT	1
2	REPORTING OF ACCIDENTS AND SERIOUS INCIDENTS	2
2.1	Pilot-in-command	2
2.2	Air traffic controllers and flight information service officers	2
2.3	Persons in other flight safety-related duties	2
3	HAZARDOUS CONDITIONS.....	3
4	REPORTING OF OCCURRENCES	3
4.1	Mandatory report	3
4.2	Voluntary report	3
5	REPORTING FORMS.....	4

APPENDICES

Appendix 1	LIST OF EXAMPLES OF SERIOUS INCIDENTS	5
Appendix 2	CONTACT INFORMATION.....	6

1 DUTY TO REPORT

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

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

Where the air operator gets to know about an incident which must be reported in accordance with this regulation, and it is not certain whether a report has already been filed, the air operator shall make a report to the Finnish Transport Safety Agency without delay.

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

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

Note: Filing a report in accordance with this regulation will not remove the obligation to make any report prescribed in other legislation. See e.g. regulations 2042/2003 (Maintenance Regulation) and 1702/2003 (Certification Regulation) and OPS 1 requirements specified in regulation 3922/91.

2 REPORTING OF ACCIDENTS AND SERIOUS INCIDENTS

2.1 Pilot-in-command

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

The Finnish Transport Safety Agency shall be notified in writing as soon as possible after the incident. Whenever possible, the written report to the Finnish Transport Safety Agency should be sent e.g. by fax to ensure rapid transfer of the information.

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

2.2 Air traffic controllers and flight information service officers

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

2.3 Persons in other flight safety-related duties

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

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

3 HAZARDOUS CONDITIONS

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

4 REPORTING OF OCCURRENCES

4.1 Mandatory report

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

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

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

The obligation to report applies to the following:

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

4.2 Voluntary report

Anyone who notices or gets to know about an issue affecting flight safety for which he/she is not obliged to file a report in accordance with paragraph 4.1 above, may submit a voluntary report.

Note: The confidentiality of such information is protected under item 16 of section 24(1) of the Act on the Openness of Government Activities (621/1999).

5 REPORTING FORMS

A written report of an accident, serious incident or occurrence shall be made to the Finnish Transport Safety Agency using the form "Report of an accident, serious incident or occurrence" (LU3626) or "Malfunction or defect report" (LU3323).

The forms are available in Finnish, Swedish and English at the Finnish Transport Safety Agency's head office, at airports and on the Agency's website (http://www.ilmailuhallinto.fi/occurrence_reporting).

The report can also be submitted on another form approved by the Finnish Transport Safety Agency. In exceptional cases, where a specific form is not available, the report can be made in free form.

Any written report addressed to the Finnish Transport Safety Agency shall contain the reporter's name and contact details, so that the Agency can acknowledge receipt of the report and, where necessary, request further information about the incident. However, voluntary reports in accordance with paragraph 4.2 can be submitted anonymously.

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

Kim Salonen
Director General, Civil Aviation

Samuli Vuokila
Head of Unit

Appendix 1 LIST OF EXAMPLES OF SERIOUS INCIDENTS

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

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

Appendix 2 CONTACT INFORMATION

Accident Investigation Board (AIB Finland)

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

Finnish Transport Safety AgencyReports of accidents, serious incidents and occurrences:

Trafi Aviation
Safety Analysis Unit
PO Box 320
FI-00101 Helsinki
FINLAND
Telephone +358 20 618 500
Fax +358 20 618 6297
tutkinta@trafi.fi

Malfunction or defect reports:

Trafi Aviation
Airworthiness Department
PO Box 320
FI-00101 Helsinki
FINLAND
Telephone +358 20 618 500
Fax +358 20 618 6294