



ACCIDENT INVESTIGATION AND PREVENTION (AIG) DIVISIONAL MEETING (2008)

Montréal, 13 to 18 October 2008

Agenda Item 1: Annex 13 1.6: Final Report

SAFETY RECOMMENDATION TRANSMITTAL LETTERS

(Presented by the United States)

SUMMARY

This paper proposes an amendment requiring the State issuing a safety recommendation to do so in a transmittal letter notifying the recipient States of the safety recommendation.

Action by the meeting in is paragraph 3.

1. INTRODUCTION

1.1 AIG/08-WP/12, “Action on Safety Recommendations” presented by the Secretariat, suggests an amendment to paragraph 6.10 of Annex 13 to include a time period for States to respond to safety recommendations proposed during or after an accident or incident investigation. The proposed time limit is “within ninety days of the date of the transmittal letter”. However, there is currently no requirement for a State issuing a safety recommendation to do so via a transmittal letter.

2. DISCUSSION

2.1 The United States agrees that requiring a ninety-day time period for responding to a safety recommendation is advisable. However, because transmittal letters are not required, adding language referencing “the transmittal letter” would make the time period for responding inapplicable in cases where transmittal letters are not sent.

2.2 The United States is aware of cases in which safety recommendations have appeared within the body of a Final Report for an accident or incident investigation, but no specific letter was sent to the recipient State calling attention to the safety recommendations. Safety recommendations issued in this manner could be easily overlooked by the recipient State and do not provide a clear starting point for the ninety day response period. For the proposed ninety day time period to be effective, a transmittal letter from the State issuing the safety recommendation to the recipient State is needed.

3. **ACTION PROPOSED**

3.1 The meeting is invited to consider suggested improvements to the amendments proposed in AIG/08-WP/12. These changes are captured in the following Appendix and recommend the addition of “in a dated safety recommendation transmittal letter” to paragraphs 6.8 and 6.9 of Annex 13.

— — — — —

APPENDIX

PROPOSED AMENDMENT TO ANNEX 13

...

CHAPTER 6. FINAL REPORT

...

RESPONSIBILITY OF THE STATE CONDUCTING THE INVESTIGATION

...

Safety recommendations

6.8 At any stage of the investigation of an accident or incident, the accident or incident investigation authority of the State conducting the investigation shall recommend in a dated safety recommendation transmittal letter to the appropriate authorities, including those in other States, any preventive action that it considers necessary to be taken promptly to enhance aviation safety.

6.9 A State conducting investigations of accidents or incidents shall address, when appropriate, any safety recommendations arising out of its investigations in a dated safety recommendation transmittal letter to the accident investigation authorities of other State(s) concerned and, when ICAO documents are involved, to ICAO.

...

— END —