



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

Montréal, 13 to 18 October 2008

Agenda Item 1: Annex 13

1.1: Chapter 1 of Annex 13

PROPOSED CHANGES TO DEFINITIONS IN ANNEX 13

(Presented by the International Coordinating Council of Aerospace Industries Associations)

SUMMARY

This paper proposes an amendment to the definition of “accredited representative” and new definition (“major accident”) in Annex 13.

Action by the meeting is in paragraph 3.

1. INTRODUCTION

1.1 The evolution of aviation has indicated that some definitions in Annex 13 — *Aircraft Accident and Incident Investigation* are in need of updating and others in need of further clarification so as to avoid potential misinterpretations with consequential adverse impact on safety.

2. DISCUSSION

2.1 Definition of accident

2.1.1 ICCAIA agrees that the existing definition of accident makes it difficult to include Unmanned aircraft system (UAS) and therefore supports the amendment proposed by ICAO Secretariat (AIG/08-WP/2) to expand the definition of accident so as to include UAS related accidents

2.2 Definition of accredited representative

2.2.1 ICCAIA has noted (in Working Paper AIG/08-WP/2 proposed by ICAO Secretariat) that a State has suggested to amend the definition of accredited representative in Annex 13 to be more specific and to read that he/she would need to come from an independent accident investigation body (AIB) if one existed in the State concerned.

2.2.2 ICCAIA strongly supports the need to amend the definition of accredited representative in order to indicate that, if the State invited to nominate such representative has an independent AIB, it should normally nominate a person coming from that independent AIB.

2.2.3 The above amendment of the definition would:

- a) essentially be reflecting the current practice for States having an independent AIB;
- b) reflect the desirability of the independence of the accredited representative from any parties (organisations involved, aviation authorities in charge of safety regulation and monitoring,...) which might have an interest in the investigation, consistent with the spirit of ICAO Annex 13 concerning the independence of the investigation; and
- c) without creating any obligation on States, illustrate the interest of establishing independent accident investigation bodies (AIB).

2.3 Definition of major accident

2.3.1 ICCAIA would like to suggest that a new definition be added in “Chapter 1. Definitions” concerning “major accident” as follows:

***Major Accident:** An accident in which any of the following conditions are met: aircraft destroyed, or multiple fatalities to occupants, or one fatality and aircraft substantially damaged..*

2.3.2 ICCAIA considers that the above proposed definition, which is already in use by the Flight Safety Foundation, would help to better classify aeronautical occurrences, as per the current methodology the definition places in the same classification different levels of events, like an aircraft damage versus occurrences with fatalities, or events involving multiple aircraft, (such as a mid-air event), where one may be destroyed and the other not, but both types are included in the same statistics (as fatal accidents).

3. ACTION PROPOSED

3.1 The meeting is invited to:

- a) note the ICCAIA position in support of the proposed amendment to the definition of accident to include Unmanned aircraft system (UAS);
- b) to consider ICCAIA proposal to amend the definition of accredited representative by adding the following sentence:

“In those cases where the State concerned has established an independent accident investigation body (AIB), it is expected that the nominated accredited representative should normally be coming from that AIB”.

- c) to consider ICCAIA proposal to add a definition of “major accident” as follows:

***Major Accident:** An accident in which any of the following conditions are met: aircraft destroyed, or multiple fatalities to occupants, or one fatality and aircraft substantially damaged.*