

ICAO Action

ICAO provisions related to flight recorders are contained in Annex 6 — *Operation of Aircraft*, which are applicable to aeroplanes and helicopters certified according to Annex 8 — *Airworthiness of Aircraft*. The flight recorder provisions in Annex 6 are not applicable to experimental aircraft. However, original equipment manufacturers (OEMs) conducting development flight test activities are normally required to obtain design organization authority (DOA) approval in order to demonstrate regulatory compliance. The DOA usually specifies the need to document all activities in a flight test organization manual (FTOM). The FTOM details the principles and procedures adopted by the OEM in the conduct of their flight test activities, and contains “best practice” as recognized by leading OEMs worldwide. The FTOM should also contain requirements for the robustness and integrity of any data recording system and equipment used during the development stage, with due consideration given to the availability of data in the case of an accident.

Subsequent action

Following the recent exchange of messages between the ICAO Accident Investigation Section and the ANSV to deliberate on the subject, when additional information was considered, we reassessed the safety recommendation together with ICAO’s response dated 28 October 2016.

ICAO reiterates that provisions related to flight recorders are contained in Annex 6 — *Operation of Aircraft*, which are applicable to aeroplanes and helicopters certified according to Annex 8 — *Airworthiness of Aircraft*. The flight recorder provisions in Annex 6 are not applicable to experimental aircraft.

ICAO has further consulted with subject matter experts from States of Design and confirm that original equipment manufacturers (OEMs) conducting development flight test activities are required to obtain design organization authority (DOA) approval in order to demonstrate regulatory compliance. The DOA specifies the need to document all activity in a flight test organization manual (FTOM). The FTOM details the principles and procedures adopted by the OEM in the conduct of their flight test activities, and must demonstrate use of “best practice”. Data recording equipment used during the development stage, including streamed data, can be useful in case of an accident.