

ENR 1.14 AIR TRAFFIC ACCIDENTS AND INCIDENTS

1. Reporting of aircraft accidents and incidents

1.1 Legal basis

- Article 23 of the Federal Aviation Act (AA) (CC 748.0) of 21 December 1948 (status as at 1 September 2014);
- Regulation (EU) No. 996/2010 of the European Parliament and of the Council of 20 October 2010 on the investigation and prevention of accidents and incidents in civil aviation and repealing Directive 94/56/EC;
- Ordinance on the Safety Investigation of Transport Incidents (OSITI) (CC 742.161) of 17 December 2014, status as at 1 February 2015;
- Regulation (EU) No. 376/2014 of the European Parliament and of the Council of 3 April 2014 on the reporting, analysis and follow-up of occurrences in civil aviation, amending Regulation (EU) No. 996/2010 of the European Parliament and of the Council and repealing Directive 2003/42/EC of the European Parliament and of the Council and Commission Regulations (EC) No. 1321/2007 and (EC) No. 1330/2007.

1.2 Principles

There are two reporting channels:

1.2.1 To the Swiss Transportation Safety Investigation Board STSB: accidents and serious incidents:

According to Art. 23 AA in conjunction with Art. 17 OSITI, accidents and serious incidents involving manned and unmanned aircraft on Swiss territory or involving aircraft registered in Switzerland abroad must be reported immediately to the reporting centre of the Swiss Transportation Safety Investigation Board (STSB). The STSB reporting centre is the alarm centre of Swiss Air Rescue and has the following telephone numbers: in Switzerland 1414, from abroad +41 333 333 333. Only incidents where it is not clear from the outset that they constitute serious incidents may be reported within 72 hours to info@sust.admin.ch

1.2.2 Reporting obligation

All persons involved in an accident or a serious incident, in particular crew members, operators and owners of an aircraft, maintenance personnel, air traffic control personnel, trainers of aviation personnel, employees of aerodromes and of the supervisory authority, as well as the police and customs authorities, shall notify without delay the Swiss Transportation Safety Investigation Board (STSB) (cf. Art. 9 and 2 Reg. (EU) 996/2010 in conjunction with Art. 23 AA and Art. 17. OSITI). Violation of the reporting obligation is punishable in accordance with Art. 23 Reg. (EU) 996/2010 in conjunction with Art. 58 para. 2 OSITI.

1.2.3 Definitions

An **accident** is an occurrence in the operation of a manned or unmanned aircraft in which a person has been fatally or seriously injured, the aircraft has sustained substantial damage, has gone missing or is completely inaccessible. For the detailed definition of an accident and a serious incident see Art. 2 paras. 1, 5 and 17 Reg. (EU) 996/2010.

A **serious incident** is an incident the circumstances of which indicate that there was a high probability of an accident associated with the operation of a manned or unmanned aircraft. Typical examples of serious incidents are the following occurrences:

- Engine failures or engine fires;
- Forced landings;
- Unintentional convergences of two aircraft (airprox, near-collisions, runway incursion);
- Fires or smoke inside the aircraft, even if it was possible to extinguish the fire or suppress the smoke;
- VFR flights into IMC;
- Controlled flight into terrain only marginally avoided;
- Events requiring the emergency use of oxygen by the flight crew;
- Failure of multiple redundant systems on board or of air traffic control equipment;
- Fuel shortage;
- Flight crew incapacitation in flight;
- Overrunning the runway or lateral departure from the runway on take-off or landing.

For the detailed definition of a serious incident, see Art. 2 paras. 7 and 16 Reg. (EU) 996/2010 in conjunction with Art. 5 OSITI, as well as the Annex to Reg. (EU) 996/2010.

An **occurrence** means an occurrence other than an accident associated with the operation of an aircraft that affects or could affect the safety of operation; for the detailed definition of an occurrence see Art. 2 para. 7 Reg. (EU) 996/2010 in conjunction with Art. 5 OSITI.

In case of doubt, the STSB is to be informed via the telephone reporting channel (in Switzerland 1414, from abroad +41 333 333 333). The duty investigator will immediately contact the enquirer and take a decision on subsequent action.

2. To the Federal Office of Civil Aviation FOCA: all occurrences, serious incidents and accidents

- All occurrences, serious incidents and accidents involving manned and unmanned aircraft which are covered by article 4 of Regulation (EU) No. 376/2014 must be reported within 72 hours by the persons involved (pilots, manufacturer's personnel, maintenance companies, air traffic control, airports and ground handling services) to the Federal Office of Civil Aviation (FOCA) or to the reporting system of the respective undertaking (www.aviationreporting.eu). Occurrences, serious incidents or accidents involving unmanned aircraft of the "open" category are exempted from the reporting obligation if no serious or fatal injury to persons is recorded and no manned aircraft are involved.

With regard to security, the standards from the NASP (National Civil Aviation Security Programme Switzerland, section 13) apply.

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