

RAAP 2.1

Accidents

Defining reporting requirements for RAAus members - **Accidents:** immediately and routine reportable matters

A Must Read

This RAAP is to be read in conjunction with RAAP 2 which gives an overview of the reporting requirements of occurrences for RAAus members.

Safety is everyone's concern and RAAus members have obligations to report occurrences. As part of the safety commitment for RAAus it relies on the reporting of occurrences to communicate safety related statistics and initiatives to all stakeholders of the company.

Occurrences is the term that collectively describes the RAAus reporting of accidents, hazards, defects and confidential complaints.

The Occurrence Management System (OMS) is an online reporting system that allows members to submit these reports and is found on the RAAus website in various locations as orange buttons "Report an Occurrence" or using the following link <http://oms.raa.asn.au>

RAAus operates within a culture of Open and Fair Reporting and this philosophy is outlined at <https://www.raa.asn.au/safety/open-and-fair-reporting-philosophy/>

Report an accident or incident	Report a defect	Report an identified hazard	Report a confidential complaint
Recreational Aviation Australia is required to meet statutory reporting requirements under the Transport Safety Investigation Act 2003. Reportable matters are categorised as: IRM: Immediately reportable matters RRM: Routinely reportable matters By submitting a report we are able to submit your information directly to the Australian Transport Safety Bureau. Click below to acknowledge your approval for Recreational Aviation Australia to submit the report to the Australian Transport Safety Bureau on behalf of you.	Defect reports are raised to identify potential technical issues found in aircraft in order to reduce the chance of recurrence. The defect reports are part of the statutory reporting that Recreational Aviation Australia is required to meet under the Transport Safety Investigation Act 2003.	Hazards can cause or contribute to unsafe operations of aircraft or aviation safety-related equipment, products and services. As part of organisational safety please assist members by completing this report if you have identified hazards associated with the organisation. Every event is an opportunity to learn valuable safety lessons.	Anyone can report a safety concern confidentially to Recreational Aviation Australia. Using our complaints management system we will address reportable safety concerns.
<input type="checkbox"/> I acknowledge that my accident report will be submitted to the Australian Transport Safety Bureau on my behalf in accordance with requirements under the TSI Act.	<input type="checkbox"/> I acknowledge that my defect report will be submitted to the Australian Transport Safety Bureau on my behalf in accordance with requirements under the TSI Act.	<input type="checkbox"/> I acknowledge that my hazard report will be submitted to the Australian Transport Safety Bureau on my behalf in accordance with requirements under the TSI Act.	<input type="checkbox"/> I acknowledge that my confidential complaint report will be submitted to the Australian Transport Safety Bureau on my behalf in accordance with requirements under the TSI Act.
Report an accident or incident	Report a defect	Report an identified hazard	Report a confidential complaint



OCCURRENCES

COMPLAINTS

HAZARDS

ACCIDENTS

DEFECTS

IRM

RRM

ACCIDENTS &
SERIOUS INCIDENTS

INCIDENTS



ACCIDENTS

IRM

RRM

Call ATSB
within 24
hours
1800 011 034



Call RAAus
within 24 hours
02 6280 4700



You have 72 hours
to submit a written
report to the
RAAus OMS/ATSB



You have 72 hours to
submit a written report to
the RAAus OMS/ATSB

Background

RAAus members are obliged to report accidents in accordance with the following Regulations and Manuals:

- Transport Safety Act (TSI) 2003
- Transport Safety Investigation (TSI) Regulations 2003
- Operations Manual Issue 7 Section 4.08

This obligation is completed when a member uses the RAAus OMS, the online reporting system, as reports are provided to the ATSB by RAAus.

RAAus has aligned our reporting terminology to the TSI Act 2003. This document provides definitions of these terms taken from Section 3 of the TSI Act 2003 specific to RAAus. It also provides an explanation of actions taken by RAAus in investigating and analysing information received for the purposes of improvement of safety, identification of trends, and other corrective measures.

Accident Report

In accordance with the TSI Act 2003 an accident means an investigable matter involving an aircraft where:

- a person dies or suffers serious injury as a result of an occurrence associated with the operation of the aircraft: or
- the aircraft is destroyed or seriously damaged as a result of an occurrence associated with the operation of the aircraft: or
- any property is destroyed or seriously damaged as a result of an occurrence associated with the operation of the aircraft.



There are two types of reporting required for accidents being immediately reportable matters and routine reportable matters:

Immediately reportable Matter - a serious transport safety matter that covers occurrences such as accidents or serious incidents involving death, serious injury, destruction of, or serious damage to vehicles or property or when an accident nearly occurred. Under section 18 of the TSI Act, immediately reportable matters **must be reported** to a nominated official by a responsible person as soon as is reasonably practical. The list of immediately reportable matters, for each mode of transport, is contained in the TSI Regulations. For a complete detail of Immediately Reportable Matters see page 8, which contains a RAAus specific listing of investigable matters taken from the TSI Act.

Examples include:

- Damage to the undercarriage or nose wheel after a hard landing
- An aircraft believed to be missing or significantly overdue
- A violation of controlled airspace or near miss in controlled airspace
- Any actions taken by the pilot to avoid a collision: in the air or on the ground
- Any event relating to fuel mismanagement
- Significant weather events.

*"Once you've tasted flight,
you will forever walk the earth
with your eyes turned skyward, for
there you have been, and there you
will always long to return."*

Leonardo Da Vinci

Routine reportable matter - is a transport safety matter that has not had a serious outcome and does not require an immediate report but transport safety was affected or could have been affected. Under section 19 of the TSI Act a responsible person who has knowledge of a routine reportable matter **must report it within 72 hours with a written report** to a nominated official. The list of routine reportable matters are contained in the TSI Regulations. Routine reportable matters include a non-serious injury or the aircraft suffered minor damage or structural failure that does not significantly affect the structural integrity, performance characteristics of the aircraft and does not require major repair or replacement of the affected components. For complete detail of Routinely Reportable Matters see page 10, which contains a RAAus specific listing of investigable matters taken from the TSI Act.

Examples include:

- Running off the runway
- Hitting a gable marker or a bird strike which does not significantly damage the aircraft
- Use of the wrong grade or type of fuel
- An engine failure which results in a safe landing and no damage to the aircraft or injury to the occupants
- Flying at a different altitude or heading from that required by ATC.

(ATSB (2016). TSI Act 2003. Retrieved from https://www.atSB.gov.au/about_atSB/legislation/trans_safety/tsi_qa.aspx#9)



Immediately Reportable Matters

Immediately Reportable Matters (IRM): RAAus specific listing taken from the TSI Act 2003

RAAus considers the following investigable matters in relation to aircraft occurrences to be immediately reportable matters:

- the death of, or a serious injury to a person on board the aircraft or in contact with the aircraft or anything attached to the aircraft or anything that has become detached from the aircraft.
- the aircraft being missing;
- the aircraft suffering serious damage, or the existence of reasonable grounds for believing that the aircraft has suffered serious damage;
- the aircraft being inaccessible and the existence of reasonable grounds for believing that the aircraft has been seriously damaged;
- breakdown of separation standards, being a failure to maintain a recognised separation standard (vertical, lateral or longitudinal) between aircraft that are being provided with an air traffic service separation service. (Note. This may result from air traffic service, pilot or other actions, and may occur even if only one of the aircraft involved is under control of an air traffic service.)
- an air proximity event;
- violation of controlled airspace;

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- a near-collision involving aircraft on the ground or in the air;
- an occurrence in which flight into terrain is narrowly avoided;
- the rejection of a take-off from a closed or occupied runway;
- a take-off from a closed or occupied runway with marginal separation from an obstacle or obstacles;
- a landing on a closed or occupied runway;
- a significant failure to achieve predicted performance during take-off or initial climb;
- a fire (even if subsequently extinguished), smoke, fumes or an explosion on or in any part of the aircraft;
- an uncontained engine failure;
- a mechanical failure resulting in the shutdown of an engine;
- the use of any procedure for overcoming an emergency or avoiding a collision;
- malfunction of an aircraft system that seriously affects the operation of the aircraft;
- a pilot or passenger becoming incapacitated during flight;
- fuel exhaustion;
- the aircraft's supply of useable fuel becoming so low (whether or not as a result of fuel starvation) that the pilot declares an emergency in flight;
- undershooting, over-running or running off the side of a runway during take-off or landing, or any other similar occurrence;
- any of the following occurrences, if the occurrence causes difficulty controlling the aircraft:
 - a weather phenomenon;
 - operation outside the aircraft's approved envelope
 - the failure of 2 or more related redundant systems for flight guidance and navigation;
 - serious damage to, or destruction of, any property outside the aircraft caused by contact with the aircraft or anything that has become detached from the aircraft.

Transport Safety Investigation Regulations 2003 (Cwlth), viewed in May 2016, <https://www.legislation.gov.au/Details/F2003B00171>



Routine Reportable Matters

Routine Reportable Matters: RAAus specific listing taken from the TSI Act 2003

- RAAus considers the following investigable matters in relation to aircraft occurrences to be Routine Reportable Matters:
- an injury, other than a serious injury, to a person on board the aircraft or in contact with the aircraft or anything attached to the aircraft or anything that has become detached from the aircraft;
- the aircraft suffering damage that compromises or has the potential to compromise the safety of the flight but is not serious damage;
- a critical rejected take-off, except on a closed or occupied runway;
- a runway incursion;
- any of the following occurrences, if the occurrence compromises or has the potential to compromise the safety of the flight:
- a failure to achieve predicted performance during take-off or initial climb;
- malfunction of an aircraft system, if the malfunction does not seriously affect the operation of the aircraft;
- fuel starvation that does not require the declaration of an emergency;
- (Note. Aircraft systems include flight guidance and navigation systems.)
- any of the following occurrences, if the occurrence compromises or has the potential to compromise the safety of the flight but does not cause difficulty controlling the aircraft:
 - a. weather phenomenon;
 - b. operation outside the aircraft's approved flight envelope;
- failure such as:
 - a. a navigation or communication aid; or
 - b. an air traffic control service; or
 - c. an airfield facility, including lighting or a manoeuvring,

- misinterpretation of information or instructions, including:
 - the incorrect setting of a transponder code; or
 - flight at an altitude or heading different to the altitude or heading planned for the flight; or
 - the incorrect receipt or interpretation of a significant radio, telephone or electronic text message;
- failure of air traffic services to provide adequate traffic information to a pilot in relation to other aircraft;

(Note. The information may have been incomplete, incorrect, late or absent.)

- a traffic collision avoidance system resolution advisory being given to the pilot of the aircraft;
- an occurrence arising from the loading or carriage of passengers, cargo or fuel, such as:
 - the loading of an incorrect quantity of fuel, if the loading of the incorrect quantity is likely to have a significant effect on aircraft endurance, performance, balance or structural integrity; or
 - the loading of an incorrect type of fuel or other essential fluid, or contaminated fuel or other essential fluid; or
 - the incorrect loading of passengers, baggage or cargo, if the incorrect loading has a significant effect on the mass or balance of the aircraft; or
 - the carriage of dangerous goods in contravention of Commonwealth, State or Territory legislation; or
 - the incorrect securing of significant items of cargo; or
 - the incorrect stowage of baggage or cargo, if the incorrect stowage is likely to cause a hazard to the aircraft or its equipment or occupants, or to impede emergency evacuation; or
 - a significant contamination of the aircraft structure, systems or equipment, arising from the carriage of baggage or cargo; or
 - the presence of a violent or armed passenger;
- a collision with an animal, including a bird.

Transport Safety Investigation Regulations 2003 (Cwlth), viewed in May 2016, <https://www.legislation.gov.au/Details/F2003B00171>

Actions taken by RAAus in investigating Accidents

Custody and Removal of Aeroplane

In the event of an IRM, the scene is under the control of ATSB or Police, and aircraft wreckage should not be moved or interfered with, unless permission is received from the ATSB or Police.

However, this is waived when necessary to extricate persons from the wreckage or to protect the wreckage from further damage, or to remove it if it presents an obstruction or danger to other aeroplanes, other transport or to the public. Photographs of wreckage and the position in relation to known landmarks should be taken where possible and supplied on request.

An ATSB or police officer will release the aeroplane from custody upon completion of the wreckage examination. Additionally there can be circumstances in the event of a RRM, which may require ATSB or police approval to release the aeroplane from custody upon receipt of the notification message.

Investigation of IRM and RRM

Investigation of fatal accidents and IRMs may be conducted by police, the ATSB, or coronial officers.

RAAus may be requested to assist ATSB or police investigators when a fatal accident occurs. RAAus will provide industry knowledge, assistance and analysis to the investigator. Such assistance is provided in accordance with Memorandum of Understanding with police and guidelines with the ATSB and is conducted with the intention of preventing similar occurrences.

Non-Reporting of IRM and RRM

Section 19 of the TSI Act 2003 outlines that all IRM and RRM must be reported to the ATSB. This can be completed via the RAAus Online OMS on the RAAus website. Failure to comply may result in the imposition of penalties.



Definitions

Accident - means an investigable matter involving an aircraft where:

- a person dies or suffers serious injury as a result of an occurrence associated with the operation of the aircraft: or
- the aircraft is destroyed or seriously damaged as a result of an occurrence associated with the operation of the aircraft: or
- any property is destroyed or seriously damaged as a result of an occurrence associated with the operation of the aircraft.

Immediately reportable Matter - a serious transport safety matter that covers occurrences such as accidents or serious incidents involving death, serious injury, destruction of, or serious damage to vehicles or property or when an accident nearly occurred.

Reportable matter - means an immediately reportable matter or a routine reportable matter.

Routine reportable matter - is a transport safety matter that has not had a serious outcome and does not require an immediate report but transport safety was affected or could have been affected.

Safety Commitment – the safety policy developed by RAAus' for its members to improve safety across the company.



Occurrences - is the term that collectively describes the RAAus reporting of accidents, hazards, defects and confidential complaints.

Occurrence Management System (OMS) - is an online reporting system found on the RAAus website for members to lodge reports to meet their reporting obligations in accordance with the regulations.

Open and fair reporting philosophy - RAAus operates an open and fair reporting culture and believe that educating our members provides better outcomes that punishing them.

Transport Safety Investigation (TSI) Act 2003 - contains a scheme for the mandatory reporting of occurrences that are classified as Immediately Reportable Matters (accidents and serious incidents) and Routine Reportable Matters (incidents). It is from these initial reports that the ATSB makes a decision on whether or not to investigate. The decision is based on factors such as safety value to be obtained from the investigation and where resources may best be targeted.

TSI Regulations 2003 - set out the occurrences that need to be reported for each mode of transport.

*"Delicious autumn!
My very soul is wedded to it,
and if I were a bird I would fly
about the earth seeking the
successive autumns."*

George Eliot

References

ATSB (2016), Aviation Safety. Retrieved from <https://www.atsb.gov.au/aviation/aviation-safety/>

ATSB (2016). TSI Act 2003. Retrieved from https://www.atsb.gov.au/about_atSB/legislation/trans_safety/tsi_qa.aspx#9

RAAus (2016). Open and Fair reporting philosophy. Retrieved from <https://www.raa.asn.au/safety/open-and-fair-reporting-philosophy/>

RAAus (2016). Occurrence Management System. Retrieved from <https://oms.raa.asn.au>

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About RAAP



RECREATIONAL AVIATION AUSTRALIA

RAAus has developed advisory publications to provide clear plain English guidance for members to conduct safe, professional and compliant operations consistent with RAAus manuals and policies.

These publications provide interpretive information for members to better understand and conduct flight or ground operations whether they fly or maintain an aircraft, or teach other members to fly or maintain an aircraft.

RAAPs DO NOT replace specific requirements contained in the Operations or Technical Manuals or Operations Bulletins, Service Bulletins or Technical Advisories that may be issued.

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