

ASD Views on Occurrence Reporting Regulation EC 376/2014

IORS meeting – 4th December

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CODE

- ☐ IN BLACK: Copy or summary of the regulatory text.
- ☐ IN GREEN : Comments or agreement.
- ☐ IN BLUE: Specific topic to be recorded
- ☐ IN RED: Items of concerns (either EASA or ASD)
Need to be further discussed.



TARGETS SHARED

The air traffic growth forecast for the next decades expects the number of aviation flights to almost **double by 2030**.

Experience has shown that often before an accident occurs, a number of incidents and numerous other deficiencies have shown the **existence of safety hazards**.

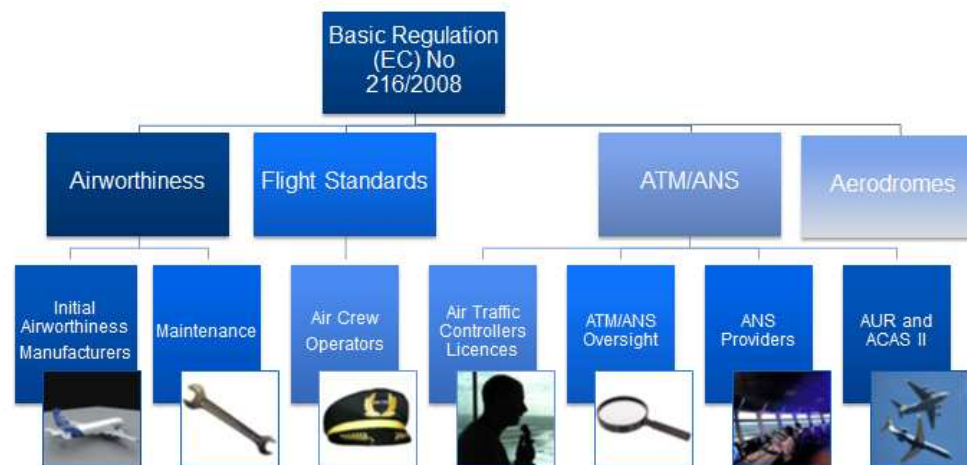
To achieve a **decreased number of aircraft accidents and fatalities**, **Organisations should collect and analyse occurrences associated with their activity**.

- **Proactive system** to complement the reactive one (SMS).
- High Quality **Safety Hazard identification** and **resolution**

Safety is a key priority for each organisation involved in the aviation activities.

REGULATION 216/2008

- Requirements to establish occurrence reporting systems are already imposed by EU legislation **Regulation 216/2008 and its implementing regulations.**



- Both Regulation are required in parallel, however, all existing requirements should **not lead to the creation of two parallel reporting systems** and should be seen as complementary.
 - SINGLE REPORTING proposal is preferred solution for ASD BUT it depends on side effects induced by 376/2014 on occurrences reporting managed by 216/2008 as developed later on in the presentation.**



376/2014: REPORTING – Basic Considerations

- ☐ **Mandatory** Reporting complemented by Voluntary one
- ☐ **Reporting** systems should be **set up within organisations**

- ☐ **Individuals** to report.
- ☐ **Just Culture**
- ☐ **Organisations** should store occurrence reports

- ☐ **Adapted** to the size of the Organisation but the entire aviation sector covered.
- ☐ Through **ECR – ECCAIRS (including ADREP TAXONOMY)**



376/2014: DATA – Basic Considerations

- ☐ **Full access/Exchange of data** by EASA + MS
- ☐ **Restricted** access to ECR
- ☐ Dedicated to **prevention** of aviation accident.
- ☐ **Confidentiality / Anonymity** measure
- ☐ **Mandatory fields** (annex1)
- ☐ **High Quality/Completeness** of data (GM)



376/2014 - ANALYSE – Basic Considerations

- ☐ **Organisations** should collect and analyse information on occurrences in order to identify and mitigate hazards associated with their activities

- ☐ **Risk classification** scheme
- ☐ **Significant/Safety risk** detection/mitigation

- ☐ **Corrective Actions** identification / implementation



Commentary from ASD on EC 376/2014 articles.

☐ **ASD members have internally reviewed EC 376/2014 articles**

- Key points, comments and observations performed were collected and included in the following slides.
- This analysis was performed in positive and constructive way to exchange on observations that would be covered by further interpretative material .

LAW ARTICLES 1/2/3

❑ The proposed new regulation includes 24 articles:

➤ **Article 1: Objectives**

- No comment

➤ **Article 2: Definitions:**

- No comment
- ‘**occurrence**’ means any safety related event which **endangers** or which, if not corrected or addressed, could endanger an aircraft, its occupants or any other person and includes in particular an accident and serious incident;
- ‘**organisation**’ means any organisation **providing aviation products** and/or which employs, contracts or uses the services of persons required to report occurrences in accordance with Article 4(3);

➤ **Article 3: Subject matter and scope**

- No comment

ARTICLES 4 (1,4,5,6,7)

➤ Article 4: Mandatory reporting

- Mandatory reporting of
 - » 1b) Occurrences related to technical conditions, maintenance and repair of aircraft,
 - » 6) to be performed by a person engaged in designing, manufacturing, continuous airworthiness monitoring, maintaining or modifying an aircraft, or any equipment or part thereof, under the oversight of the Agency;

In the scope of that law; no reporting requested to the Design/Manufacturing organisation; only reporting to Authorities is requested.

Such organisations will therefore report only occurrences known internally (Occurrence from Manufacturing or Occurrence from Design) .

So, are excluded, occurrences from In Service events as not reported to Design/manufacturing Organisations in the field of that law (developed next slide)

ARTICLES 4 (1,4,5,6,7)

➤ Article 4: Mandatory reporting

- ASD position is: no Mandatory reporting of Occurrence happening outside the organisations ...even if organisations are aware in the scope of the 216/2008.
 - » Typically, occurrences from in service.
- Indeed, such occurrences are reported by external bodies; for the majority outside Europe and therefore outside the scope of the operational reporting requested by the 376/2014.
- Consequently organisations cannot guarantee
 - » Quality and completeness of the reports
 - » That all mandatory fields may be filled (as many unknown data anticipated)
- As per 376/2014 law, in those cases Organisations are exposed to effective, proportionate and dissuasive penalties for those type of occurrences reported with such incompleteness.

⇒ **ORGANISATIONS are exposed to penalties due to incompleteness of external data they cannot monitored.**

ARTICLES 4 (1,4,5,6,7)

➤ Article 4: Mandatory reporting

- **SINGLE REPORTING limitations (ref slide 4).**
- As per 376/2014 law, in those cases Organisations are exposed to effective, proportionate and dissuasive penalties for those type of occurrences reported with such incompleteness.
- A traceability of occurrence reporting regulation involved must be implemented to clarity in case of finding.
 - » 376/2014 - Penalties
 - » 216/2008 - DOA Findings
- Depending on tools existing in the organisations either by
 - » specific field in IORS reporting or
 - » a separate IORS reporting.

⇒ **ORGANISATIONS are encouraged to limit the exposure to penalties by ensuring a double reporting focussed on each Regulation.**



ARTICLES 4 (1,4,5,6,7)

➤ Article 4: Mandatory reporting

- » 4) The EASA shall establish a mandatory reporting system to facilitate the collection of details of occurrences, by organisations which have been certified or approved by the Agency.
- » 5) The Commission shall, by means of implementing acts, adopt a **list classifying occurrences** to be referred to when reporting occurrences => **Done (see following slides)**



DESIGN & MANUFACTURING List

LIST OF OCCURRENCES TO BE REPORTED BY A PERSON ENGAGED IN DESIGNING AN AIRCRAFT, OR ANY EQUIPMENT OR PART THEREOF UNDER THE OVERSIGHT OF A MEMBER STATE OR OF THE AGENCY

- (1) Any failure, malfunction, defect or other occurrence related to a product, part, or appliance which has resulted in or may result in an unsafe condition.

The text below should be added to the Annex to this Implementing Act (or Guidance material):

The occurrences shall be those related to a product, part, or appliance covered by the type-certificate, restricted type-certificate, supplemental type-certificate, ETSO authorisation, major repair design approval or any other relevant approval deemed to have been issued under the COMMISSION REGULATION (EU) No 748/2012.

The “unsafe condition” in this Regulation means the unsafe condition as determined in accordance with the COMMISSION REGULATION (EU) No 748/2012.

OCCURRENCES TO BE REPORTED BY A PERSON ENGAGED IN MANUFACTURING OF AN AIRCRAFT, OR ANY EQUIPMENT OR PART THEREOF UNDER THE OVERSIGHT OF A MEMBER STATE OR OF THE AGENCY

- (1) Aeronautical items released from the production organisation with deviations from applicable design data that could lead to a potential unsafe condition as identified with the holder of the type-certificate or design approval.

The text below should be added to the Annex to this Implementing Act (or Guidance material):

A list of mandatory reportable occurrences is not applicable to the reporting obligation of a person engaged in the production of aeronautical items. Their primary concern is to inform their organisation about aeronautical items released from the organisation with deviations from the applicable design data. The organisation then has the responsibility to inform the relevant design organisation of these deviations to establish if the deviation could lead to a potential unsafe condition. If so, an occurrence report should be submitted by production organisation to the competent authority .

ENDANGER = Significant Risk = Unsafe Condition for TC Holder
Only Occurrence from Manufacturing or Design will be reported through this law.

ARTICLES 4 (7)

➤ Article 4: Mandatory reporting (timeframe)

➤ 7. The persons as defined before (6.) shall report, within **72 hours of becoming aware of the occurrence**, unless exceptional circumstances prevent this.

- Who are those persons ?
- In the scope of that paragraph, 72 hours timeframe covers reporting from the person listed in paragraph 6 to the organisation.

ARTICLES 4 (9)

➤ Article 4: Mandatory reporting (timeframe)

- 9. Following the **notification of the occurrence**, (ie per 7) **each organisation approved by EASA** shall report as soon as possible, but in any case within a time limit **not exceeding 72 hours after becoming aware of the occurrence**.
- Organisation is represented by an “**Accountable Manager**” who will report within 72H after **he is aware** of **an unsafe condition**.
 - Convergence with current practices performed today where potential unsafe condition is determined by specific reviews performed in the organisations.
 - » Occurrence screening decision (AIRBUS, DASSAULT...),
 - » Chief Engineer decision (Red Top; RR)
 - » ...
 - Consideration of late recognition of unsafe condition following deeper investigation (Risk Assessment issuance), may happen some months after the first reporting as only evidenced in the **analysis**.
 - Higher quality of reporting as some additional information can be collected since the initial internal reporting (7)

ARTICLES 4 (9)

➤ Article 4: Mandatory reporting (timeframe)

➤ Reporting System is IORS

- *Note (Art 9): Occurrence reports shall be transferred (from IORS) to the European Central Repository no later than 30 days after having been entered in the national database*

» *No significant delay in ECR update.*

ARTICLES 5

➤ Article 5: Voluntary reporting

- Voluntary reporting subject to regulatory “constraints” as
 - » Mandatory fields
 - » Taxonomy
 - » Risk Assessment timeframe
- Voluntary reporting would not be performed by organisation due to:
 - » Additional workload and
 - » Exposition to penalties.
- » Reporting performed in the scope of the 216/2008 (ie non unsafe...) **must not be considered** as a voluntary reporting as incomplete.
- ⇒ Consequently **separate reporting** is needed (ref slide 4 side effect).

⇒ **ORGANISATIONS are exposed to penalties due to obvious incompleteness of the current “Voluntary” reporting (non-unsafe)**

ARTICLES 6

➤ Article 6: Collection and storage of information

- 1. Independent person(s) nominated in Organisation to independently handle the collection, evaluation, processing, analysis and storage occurrences .
 - preventing the use of information for purposes other than safety,
 - safeguard the confidentiality of the identity
 - of the reporter and
 - of the persons mentioned in occurrence reports

Would be covered by process as different persons are involved in collecting; evaluating; processing, analysing and storing the occurrence.

Control of occurrence performed before reporting to Authority but reporter details may be kept at organisation level for inquiry need (restricted access).

ARTICLES 6

➤ Article 6: Collection and storage of information

- 5. Organisations shall store occurrence reports in one or more databases
⇒ Generally under 216/2008, organisation have set up their own system (database)
- 8. EASA shall store occurrence reports in a database
⇒ Report done to IORS generally through data bridge (automatic reporting) or Web tool.

ARTICLES 7 (1)

➤ Article 7: Quality and completeness of occurrence reports

➔ **Occurrence Category** and **Event Type** to be reviewed in the scope of the taxonomy WG (ref after)

COMMON		SPECIFIC	
(1) Headline		(1) Aircraft Identification	(1) ATM relation
Headline		State of Registry	ATM contribution
(2) Filing Information		Make/Model/Series	Service affected (effect on ATM service)
Responsible Entity		Aircraft serial number	(2) ATS Unit Name
File Number		Aircraft Registration	
Occurrence Status		Call sign	(1) Airspace
(3) When		(2) Aircraft Operation	Airspace type
UTC Date		Operator	Airspace class
(4) Where		Type of operation	FIR/UIR name
State/Area of Occurrence		(3) Aircraft Description	
Location of Occurrence		Aircraft Category	(1) Location Indicator (ICAO indicator of the airport)
(5) Classification		Propulsion Type	(2) Location on the aerodrome
Occurrence Class		Mass Group	
Occurrence Category		(4) History of Flight	(1) Severity
(6) Narrative		Last Departure Point	Highest Damage
Narrative Language		Planned Destination	Injury Level
Narrative		Flight Phase	(2) Injuries to persons
(7) Events		(5) Weather	Number of injuries on ground (fatal, serious, minor)
Event Type		Weather relevant	Number of injuries on aircraft (fatal, serious, minor)
(8) Risk classification			

➔ Risk classifications to be particularly reviewed in the scope of the WG. "The Commission shall develop that scheme by 15 May 2017"

ARTICLES 7 (1) – Mandatory fields

➤ Article 7: Quality and completeness of occurrence reports

- 1. Imposes additional **mandatory** fields than the one provided today:
 - » How field have to be filled need to be clarified
 - => Guidance Material needed
 - => Draft received but need to be clarified
 - » “**Unknown**” to be used as some data may be not recoverable at the time of the Report (ie: Occ from Eng and UTC) and even during Final Assessment
 - » Information requested as per annex 1 has to be filled only when they are relevant regarding the incident purpose
 - » e.g. for a chaffing issue, fields like weather, history of flight, ATM information, Airspace information ... are purely irrelevant).
- When they are irrelevant, they will be filled with the “Unknown” value.

ARTICLES 7 (2, 5)

➤ Article 7: Quality and completeness of occurrence reports

- 2. Occurrence reports shall include a **safety risk classification**
- 5. The Commission shall develop a **common European risk classification scheme** to enable the **organisations**, Member States and the Agency to classify occurrences in terms of safety risk.

In so doing, the Commission shall take into account the need for compatibility with existing risk classification schemes.

The Commission shall develop that scheme by 15 May 2017.

How to fill this field from Nov 2015 => Unknown ?

=> ASD representative are part of the “Risk Classification” WG.

ARTICLES 7 (3)

➤ Article 7: Quality and completeness of occurrence reports

- 3. **Data Quality Checking:** Organisations shall establish data quality checking processes to improve data consistency, notably between the information collected initially and the report stored in the database.

⇒ Would be achieved thanks to timeframe to report as presented in slide 14 covering article 4, allowing to close the loop with the persons having initially reported to complete the record.

ARTICLES 7 (4,7)

➤ Article 7: Quality and completeness of occurrence reports

- 4. The databases referred in Article 6 shall use standardised formats to facilitate information exchange and shall be **compatible** with the ECCAIRS software and the ADREP **taxonomy**.
 - ⇒ A) Risk to provide Taxonomy with first reporting as it can be **imprecise**
 - ⇒ Only focussed on event consequence whereas interest would be the cause.
 - ⇒ APU event having led to smoke; smoke itself not the most important; APU issue need to be addressed

Taxonomy to be provided after full investigation of the occurrence with the Final Analysis.

- ⇒ B) Use of taxonomy as per CICTT and ADREP need **experienced** persons
 - ⇒ Same occurrence classified differently depending on “Taxonomist” = subjective
 - ⇒ Trainings + Workshop even not a guarantee

ASD Organisations question the efficiency of implementing such taxonomy as the required effort is not in line with anticipated results (Lessons learned from AIRBUS / DGAC / DASSAULT)

ARTICLES 7 (4,7)

➤ Article 7: Quality and completeness of occurrence reports

- 4. The databases referred in Article 6 shall use standardised formats to facilitate information exchange and shall be **compatible** with the ECCAIRS software and the ADREP **taxonomy**.

⇒ C) Taxonomy would refer in particular the following mandatory fields:

⇒ **“Occurrence Category”** as per CICCT/ADREP (see next slide)

⇒ **“Event Type”** fields as per ADREP but currently modified by EASA and subject to further discussions.

Current Organisation tools will request time to integrate the new taxonomy functionality.

As per current schedule, Taxonomy frozen in August 2015 would not allow certain organisations to implement it for NOV 2015 in their current Safety Management Tool.



ARTICLES 7 (4)

- Article 7: Quality and completeness of occurrence reports

- OCCURRENCE CATEGORY

- To be further discussed during further WG.
- Propose to use Char codes only.

ABNORMAL RUNWAY CONTACT	(ARC)
ABRUPT MANEUVER	(AMAN)
AERODROME	(ADRM)
AIRPROX/TCAS ALERT/LOSS OF SEPARATION/NEAR MIDAIR COLLISIONS/MIDAIR COLLISIONS	(MAC)
ATM/CNS	(ATM)
BIRD	(BIRD)
CABIN SAFETY EVENTS	(CABIN)
COLLISION WITH OBSTACLE(S) DURING TAKEOFF AND LANDING	(CTOL)
CONTROLLED FLIGHT INTO OR TOWARD TERRAIN	(CFIT)
EVACUATION	(EVAC)
EXTERNAL LOAD RELATED OCCURRENCES	(EXTL)
FIRE/SMOKE (NON-IMPACT)	(F-NI)
FIRE/SMOKE (POST-IMPACT)	(F-POST)
FUEL RELATED	(FUEL)
GLIDER TOWING RELATED EVENTS	(GTOW)
GROUND COLLISION	(GCOL)
GROUND HANDLING	(RAMP)
ICING	(ICE)
LOSS OF CONTROL-GROUND	(LOC-G)
LOSS OF CONTROL-INFLIGHT	(LOC-I)
LOSS OF LIFTING CONDITIONS EN ROUTE	(LOLI)
LOW ALTITUDE OPERATIONS	(LALT)
MEDICAL	(MED)
NAVIGATION ERRORS	(NAV)
OTHER	(OTHR)
RUNWAY EXCURSION	(RE)
RUNWAY INCURSION	(RI)
SECURITY RELATED	(SEC)
SYSTEM/COMPONENT FAILURE OR MALFUNCTION (NON-POWERPLANT)	(SCF-NP)
SYSTEM/COMPONENT FAILURE OR MALFUNCTION (POWERPLANT)	(SCF-PP)
TURBULENCE ENCOUNTER	(TURB)
UNDERSHOOT/OVERSHOOT	(USOS)
UNINTENDED FLIGHT IN IMC	(UIMC)
UNKNOWN OR UNDETERMINED	(UNK)
WILDLIFE	(WILD)
WIND SHEAR OR THUNDERSTORM	(WSTRW)



ARTICLES 7 (4)

- **Article 7: Quality and completeness of occurrence reports**

- **EVENT TYPE**

- To be further discussed during further WG.
- Proposed the use of ATA chapter on 4 digits.

- ④ Aerodrome & ground aids
- ④ Air Navigation Services
- ④ Aircraft operation general
- ④ Aircraft/system/component
 - ④ 0100 Aircraft performance
 - 0500 TIME LIMITS/MAINTENANCE CHECKS
 - 0600 DIMENSIONS AND AREAS
 - 0700 Lifting and shoring related event
 - 0800 Leveling and weighting related event
 - ④ 0900 Towing & taxiing equipment related
 - 1000 Parking & mooring
 - 1100 Placards and Markings
 - 1200 Servicing
 - 1400 Miscellaneous hardware
 - ④ 1800 Helicopter vibration / noise analysis
 - 2000 STANDARD PRACTICES-AIRFRAME
 - ④ 2100 Air conditioning & pressurization
 - 2200 Autoflight system
 - 2300 Communication system
 - 2400 Electrical power system
 - ④ 2500 Aircraft equipment/furnishing
 - 2600 Fire protection system
 - ④ 2700 Aircraft flight control
 - ④ 2800 Fuel system
 - 2900 Hydraulic system
 - 3000 Ice/rain protection system
 - ④ 3100 Indicating/recording systems
 - ④ 3200 Landing gear
 - 3300 Aircraft lighting
 - ④ 3400 Navigation systems
 - 3500 Oxygen system
 - 3600 Pneumatic system
 - 3700 Vacuum system
 - 3800 Drinkable/waste water system
 - 4100 Water ballast system
 - 4200 Integrated modular avionics
 - 4400 Cabin systems
 - 4500 Central Maintenance Computer
 - 4600 Information systems
 - 4700 Inert gas system
 - 4900 Auxiliary power unit
 - ④ 5000 Cargo and accessory compartments

- ④ 5100 Standard practices and structures
- ④ 5200 Aircraft's doors
- ④ 5300 Aircraft's fuselage structure
- 5400 Aircraft engine nacelle/pylon structure
- ④ 5500 Aircraft empennage structure
- ④ 5600 Aircraft windows/windshields
- ④ 5700 Aircraft wing structure
- 6000 STANDARD PRACTICES - PROPELLER/ROTOR
- ④ 6100 Propellers generally
- ④ 6200 Rotorcraft main rotor system
- ④ 6300 Main rotor drive system
- 6400 Rotorcraft tail rotor system
- ④ 6500 Tail rotor drive system
- 6600 Folding blades/pylon
- 6700 Rotorcraft flight control system
- 7000 STANDARD PRACTICES - ENGINES
- 7100 Powerplant package
- ④ 7200 Turbine engine
 - ④ 7201 Turbine engine - generally
 - Turbine engine - tearaway
 - Turbine engine - uncontained failure
 - Turbine engine - mechanical failure
 - Turbine engine - non mechanical failure
 - Turbine engine - simulated failure
 - Turbine engine - fuel starvation
 - Turbine engine - asymmetric thrust
 - Turbine engine - multiple failures
 - Turbine engine - engine gearbox
 - Turbine engine - vibration
 - Turbine engine - chip warning
 - 7300 Engine fuel and control system
 - 7400 Engine ignition system
 - 7500 Engine air system
 - 7600 Engine controls
 - 7700 Engine indicating system
 - ④ 7800 Engine exhaust system
 - 7900 Engine oil system
 - 8000 Engine starting system
 - 8100 Exhaust turbine system
 - 8200 Engine water injection system
 - 8300 Accessory gearbox
 - 8400 PROPULSION AUGMENTATION
 - ④ 8500 Reciprocating engine
 - 9100 CHARTS
 - ④ Non-component specific events
 - Civil Aviation Authority related event
 - Consequential events
 - Regulatory issues / events
 - Any other event
 - Unknown



ARTICLES 7 (4)

- Article 7: Quality and completeness of occurrence reports
- R.I.T
- Reduced Interface Taxonomy (RIT) under review by EASA and presented in GATWICK on October 2014 (draft)
- Would propose a potential large list of field to implement including non-mandatory ones.
- Stability each 3 years.
- RIT Working doc sent showing multiple fields, need for further discussion.

ARTICLES 8,9,10,11,12

➤ **Article 8: European Central Repository**

- No comment

➤ **Article 9: Exchange of Information**

- 1. Occurrence reports shall be transferred to the European Central Repository no later than 30 days after having been entered (from MS).

➤ **Article 10: Dissemination of information**

- 4. For security reasons, interested parties shall not be granted direct access to the European Central Repository

➤ **Article 11: Processing and Request decision**

⇒ Industrial/intellectual Property to be protected

➤ **Article 12: Processing and Request decision**

- No comment

ARTICLES 13 (1,2,3)

➤ Article 13: Occurrence analysis and follow up

- Each organisation shall :
 - » 1. Develop a process to analyze the occurrences,
 - » 1. Determine any appropriate corrective or preventive action required,
 - » 2. Implement these actions in a timely manner and
 - ⇒ performed in the scope of the 216.2008.
 - » 2. Establish a process to **monitor implementation** and effectiveness of the responses
 - ⇒ For unsafe implementation mandated by AD in agreed compliance time or monitoring retrofit (rare)
 - ⇒ Survey of reoccurrence rate after application of the fix through occurrence reporting survey.
 - ⇒ Performed in the scope of the 216.2008.

ARTICLES 13 (1,2,3)

➤ Article 13: Occurrence analysis and follow up

» 3.Regularly **provide its employees with information** concerning the analysis of and follow-up to the various occurrences for which preventive or corrective action is taken.

⇒ Originator of the occurrence to be in copy of the Risk Assessment

⇒ Internal “lessons learned” process (Design Office/Production)

⇒ Flash information in production (Limited in time).

⇒ Quality improvement : Process/Jobcard update....

⇒ Training

⇒ Main topics covered by internal/external communication (News/Symposium...)

ARTICLES 13 (5)

➤ Article 13: Occurrence analysis and follow up at national level

- 5. Where an organisation approved by the Agency identifies an actual or potential aviation safety risk as a result of its analysis of occurrences or group of occurrences reported pursuant to Articles 4(9) and 5(5), it shall transmit to the Agency, **within 30 days from the date of notification of the occurrence by the reporter:**

- (a) the **preliminary results** of the analysis performed and
- (b) any **action to be taken**

⇒ **“Preliminary results”** to be provided within 30 days after occurrence is reported to EASA.

⇒ Confirm the unsafe

⇒ Mitigation taken to limit/cover the Unsafe condition

⇒ Limitation

⇒ Alternative solution

⇒ Inspection...

ARTICLES 13 (5)

➤ Article 13: Occurrence analysis and follow up at national level

- 5. The final results of the analysis shall be reported, where required, **as soon as they are available** and, **in principle**, **no later than three months** from the day of **notification** of the occurrence.

⇒ Final Result is to be provided **no later than 3 months**..... **in principle**

⇒ Full completion of Analysis of complex subject within 3 months is **UNREALISTIC** per large common experience (RR / AIRBUS / AIRBUS HELICOPTER / DASSAULT / ATR).

⇒ Final fix generally known well after that timeframe.

⇒ Final result may reference an **Airworthiness Files** (SER/ARS/Red Top Closure Reports...) specifically shared with the Agency in the scope of the 216/2008 that will follow the issue until full complete restoration of the design (limitation cancellation, final fix..).

⇒ Final result may be considered as closing the occurrence itself; subject being followed by Airworthiness File.

ARTICLES

14,16,16,17,18,19,20

➤ **Article 14: Occurrence analysis and follow up at European Union level.**

- Commission, EASA and competent authority perform data analysis supported by the Network of safety analysts in particular to support the European Aviation Safety plan..

➤ **Article 15: Confidentiality and appropriate use of information**

- Limit the Use to improve Aviation Safety
- Ensure Confidentiality (despite high number of persons having access)
- Advance arrangement between Justice and Aviation Safety.

➤ **Article 16: Protection of the information source**

- Disidentification
- Just culture :Each organisation shall, after consulting its staff representatives, adopt internal rules describing how ‘just culture’ principles.

⇒ Is it expected to have support from EC (Leaflet...) to help organisation in such adaptation of internal rules.

➤ **Article 17: Updating of the Annexes**

➤ **Article 18: Exercise of the delegation**

➤ **Article 19: Committee procedure**

➤ **Article 20: Access to documents and protection of personal data**

- No comment

ARTICLES 21,22,23,24

➤ Article 21: Penalties

- Member States shall lay down the rules on penalties applicable to infringements of this Regulation.
- The penalties provided for shall be **effective, proportionate and dissuasive**. Member States shall notify to the Commission those provisions and any subsequent amendment affecting them.

➤ Article 22: Amendment to Regulation (EU) No 996/2010

➤ Article 23: Repeals

- **No comment**

ARTICLES 21,22,23,24

➤ Article 24: Entry into force

- This Regulation shall apply **from 15 November 2015** and **not before the entry into force of the implementing measures referred to in Article 4(5)**.
- Article 7(2) shall apply once the delegated and implementing acts specifying and developing the European common risk classification scheme referred to in Article 7(6) and (7) enter into force.
- By **16 November 2020**, the Commission shall publish and send to the European Parliament and to the Council an evaluation report on the implementation of this Regulation. That report shall cover, in particular, the contribution made by this Regulation to reducing the number of aircraft accidents and related fatalities. If appropriate and on the basis of that report, the Commission shall make proposals for amending this Regulation.

SUMMARY

- ❑ New regulation 376/2014 exposes organisations to dissuasive penalties leading them to minimize their exposure.
- ❑ So conditions for a single reporting for 216/2008 and 376/2014, even if it would be appreciated, seem yet not reached due to such exposure.
 - Side effects exist on 216/2008 reporting.
- ❑ The new regulation implementation has some impact on organisation in term of costs:
 - Tool redesign (Mandatory field, ...)
 - Training for taxonomy....
- ❑ Interpretative material to be issued must consider the proposal performed in that presentation to decrease at the maximum the impact on European Industry and to keep its competitiveness.