



Številka: 3721-2/2016/6

Datum: 30.05.2016

ZADEVA: Obvestilo o objavi in začetku veljavnosti Uredbe o izvajanju Uredbe (EU) o poročanju, analizi in spremljanju dogodkov v civilnem letalstvu

Spoštovani

Dne 3. aprila 2014 je bila sprejeta Uredba (EU) št. 376/2014 Evropskega parlamenta in Sveta o poročanju, analizi in spremljanju dogodkov v civilnem letalstvu, spremembi Uredbe (EU) št. 996/2010 Evropskega parlamenta in Sveta ter razveljavitvi Direktive 2003/42/ES Evropskega parlamenta in Sveta in uredb Komisije (ES) št. 1321/2007 in (ES) št. 1330/2007, ki je od 15.11.2015 neposredno uporabna v vseh državah članicah.

Za izboljšanje varnosti v letalstvu je potrebno poročati, zbirati, shranjevati, varovati, izmenjavati, razširjati in analizirati ustrezne informacije v zvezi z varnostjo v civilnem letalstvu ter izvajati ustrezne varnostne ukrepe na podlagi zbranih informacij. Ta proaktivni in na dokazih temelječ pristop morajo uporabljati ustrezni organi držav članic za varnost v letalstvu, organizacije v okviru svojega sistema upravljanja varnosti in EASA.

V zvezi s tem vas obveščamo, da je bila dne 23.05.2016 v Uradnem listu RS št. 37, objavljena Uredba o izvajanju Uredbe (EU) o poročanju, analizi in spremljanju dogodkov v civilnem letalstvu (v nadaljnjem besedilu: nacionalna uredba), ki začne veljati dne 07.06.2016. V zvezi s tem vam želimo predstaviti bistvene spremembe na omenjenem področju:

1. Nacionalna uredba določa, da je pristojni organ za izvajanje in nadzor nad izvajanjem Uredbe 376/2014/EU in nacionalne uredbe Javna agencija za civilno letalstvo RS.
2. Organ pristojen za izvajanje drugega odstavka 9. člena Uredbe 376/2014/EU (vnos podatkov v zvezi z nesrečami in resnimi incidenti v evropsko centralno podatkovno bazo) je preiskovalni organ, razen za informacije, ki jih na podlagi poročil o dogodkih prejme Agencija za civilno letalstvo in jih prenese v evropsko podatkovno bazo.
3. Agencija za civilno letalstvo je določena kot kontaktna točka, ki vodi nacionalno podatkovno bazo.
4. **O dogodkih iz 4. (obvezno poročanje) in 5. člena (prostovoljno poročanje) Uredbe 376/2014/EU se poroča Agenciji za civilno letalstvo.** Podrobna razvrstitev dogodkov, ki jo je potrebno v okviru sistemov obveznega poročanja upoštevati pri poročanju o dogodkih v skladu s členom 4(1) Uredbe 376/2014/EU, je podana v **prilogah I do V k IZVEDBENI UREDBI KOMISIJE (EU) 2015/1018 z dne 29. junija 2015** o določitvi seznama za razvrščanje dogodkov v civilnem letalstvu, o katerih je treba poročati v skladu z Uredbo (EU) št. 376/2014 Evropskega parlamenta in Sveta.




5. Uredba 376/2014/EU velja za vse organizacije, ki zagotavljajo letalske izdelke in/ali zaposlujejo osebe oz. z njimi sklepajo pogodbe ali uporabljajo storitve navedenih oseb, ki morajo v skladu s členom 4(6) poročati o dogodkih (npr. vodja zrakoplova, oseba, ki se ukvarja s projektiranjem, izdelovanjem, spremljanjem plovnosti, vzdrževanjem ali modificiranjem zrakoplova ali katere koli opreme ali dela takšnega zrakoplova, oseba, ki opravlja naloge v zvezi z zemeljsko oskrbo zrakoplova, oseba, ki opravlja nalogo, za katero mora pridobiti dovoljenje države članice kot uslužbenec ponudnika storitev zračnega prometa, ki so mu zaupane odgovornosti v zvezi z navigacijskimi službami zračnega prometa, ali kot operater za storitve informacij za letenje...), **medtem ko organizacije, ki se z letalstvom ukvarjajo na neprofesionalni ravni, ne potrebujejo vzpostaviti sistemov poročanja, saj so neposredno odgovorni za poročanje piloti.**
6. Osebe, ki so dolžne poročati na podlagi Uredbe 376/2014/EU, poročajo o dogodkih v **72 urah** po tem, ko izvejo zanje, razen če to preprečijo izjemne okoliščine. Po uradnem obvestilu o dogodku, organizacija čimprej, vsekakor pa najpozneje **72 ur** po tem, ko izve za dogodek, Agenciji za civilno letalstvo, sporoči podrobnosti o dogodku.
7. Agencija za civilno letalstvo se je na podlagi drugega odstavka 4. člena nacionalne uredbe odločila, **da se za poročanje uporabljajo obrazci oz. spletni portal, Evropske komisije,** na povezavi: <http://www.aviationreporting.eu/index.php?id=190>. Povezava do obrazcev je objavljena tudi na spletni strani Agencije za civilno letalstvo: <http://www.caa.si/index.php?id=463>. Poročila oddajajte »on line« (Agencija za civilno letalstvo bo poročilo prejela na elektronski naslov or@caa.si), izjemoma pa, poročilo lahko pošljete po pošti na naslov: CAA, Kotnikova ulica 19/a, 1000 Ljubljana, po faxu na številko: 01/244 66 99 ali pa poročilo skenirano pošljete na elektronski naslov: or@caa.si.
8. V primeru, da letalska organizacija v okviru svojega sistema upravljanja letalske varnosti, za poročanje o dogodkih uporablja določeno programsko opremo, je za Agencijo za civilno letalstvo sprejemljivo, da poroča agenciji elektronsko, neposredno preko svojega sistema, ki pa mora omogočati neposredni prenos podatkov v aplikacijo ECCAIRS (poročila morajo biti kompatibilna z orodjem ECCAIRS in taksonomijo ADREP, uporabljen mora biti standardni format, na razpolago morajo biti vsa obvezna polja, ki jih določa Uredba 376/2014/EU). Vse organizacije, ki bi želele poročati na drugačen način, kot je opisan v točki 7 prosimo, da nam to sporočijo **najkasneje do 07.06.2016, na elektronski naslov or@caa.si**, zaradi organizacije sestankov, na katerih bomo preverili tehnične možnosti tovrstnega poročanja.
9. **Edini namen poročanja o dogodkih je preprečevanje nesreč in incidentov, ne pa pripisovanje krivde ali odgovornosti. Z namenom ozaveščanja kulture pravičnosti bo Agencija za civilno letalstvo jeseni 2016 organizirala delavnico, na kateri bo med drugimi tudi pravosodnim organom predstavljena kultura pravičnosti v letalstvu.**
10. Agencija za civilno letalstvo pri obravnavi informacij o dogodkih ravna v skladu s predpisi o varstvu osebnih podatkov, predpisih o tajnih podatkih ter letalskimi predpisi in pravnimi akti, ki veljajo oz. se uporabljajo v RS, z namenom, da zagotovi ustrezno zaupnost informacij, ki jih prejme. Namen „kulture pravičnosti – just culture“ je, da posameznike spodbuja k poročanju o informacijah, povezanih z varnostjo, ne odvezuje pa jih njihovih običajnih odgovornosti. **Zato se zaposlenih v letalskih organizacijah in pogodbenega osebja ne sme nikakor oškodovati zaradi informacij, ki jih zagotovijo na podlagi Uredbe 376/2014/EU,** razen v primerih namerne kršitve ali očitnega, hudega in resnega

neupoštevanja očitnega tveganja ter resnega pomanjkanja poklicne odgovornosti, ki bi narekovala takšno ukrepanje, ki je očitno potrebno v danih okoliščinah, kar bi povzročilo predvidljivo škodo osebi ali premoženju ali resno ogrozilo stopnjo varnosti v letalstvu.

11. Zaradi spodbujanja poročanja o dogodkih, so poleg poročevalcev zaščitene tudi osebe, ki so omenjene v zadevnem poročilu o dogodku. Vendar takšna zaščita ne pomeni, da te osebe same niso dolžne poročati na podlagi Uredbe 376/2014/EU. Oseba, omenjena v poročilu o dogodku, ki je sama dolžna poročati o tem dogodku, vendar tega namenoma ne stori, izgubi pravico do zaščite.
12. Bistveno je zagotoviti visoko kakovostne in popolne podatke, saj lahko analize in trendi na podlagi netočnih podatkov dajo zavajajoče rezultate in usmerijo prizadevanja tja, kjer ukrepanje ni primerno. Pri netočnih podatkih poleg tega obstaja nevarnost izgube zaupanja v informacije, ki prihajajo iz sistemov poročanja o dogodkih. Da bi zagotovili kakovost poročil o dogodkih in olajšali njihovo celovitost, **morajo poročila vsebovati določene minimalne informacije, kot določeno v Prilogi I Uredbe 376/2014/EU – Seznam zahtev, ki se uporabljajo za sistema obveznega in prostovoljnega poročanja o dogodkih.**
13. Določila Uredbe 376/2014/EU, Uredbe (EU) 2015/1018 in nacionalne uredbe je potrebo začeti izvajati dne 07.06.2016, vse subjekte, ki imate način poročanja opredeljen v svojih dokumentih (priročnikih), pa pozivamo, da revizije teh dokumentov pripravite najkasneje v roku 6 mesecev.
14. Prosimo, da priloženi promocijski material razdelite med vaše zaposlene oz. člane.
15. Za vsa morebitna vprašanja smo vam na voljo na elektronskem naslovu or@caa.si ali na telefonski številki 01/244 66 10.

S spoštovanjem,


Pripravila: Nataša Bešter, CSM
nadzornik I



Vročiti:

- letalskim organizacijam po seznamu
- zbirka dokumentarnega gradiva CAA

THE LAW PROTECTS YOU!

When reporting an occurrence, you and any person mentioned in your report are protected from adverse consequences that may come from your report

- ▶ Your identity and the identity of anyone mentioned in your report will be protected
- ▶ You report will not be disclosed unless necessary for safety
- ▶ Your report will not be used to blame you or any person mentioned in it
- ▶ Exceptions are wilful misconduct and unacceptable behaviour²

More information on
www.aviationreporting.eu/justculture

This text is informative and is not intended to replace the applicable legal requirements contained in Regulation (EU) No 376/2014

² Unacceptable behaviour being defined as : manifest, severe and serious disregard of an obvious risk and profound failure of professional responsibility to take such care as is evidently required in the circumstances, causing foreseeable damage to a person or property, or which seriously compromises the level of aviation safety.

Make flying safer!

Report your incidents on

 www.aviationreporting.eu 



I feel confident to report because I am protected

Material prepared by



Material prepared by



The reporting and analysis of safety incidents helps to identify potential risks and contributes to aviation safety.

The law asks pilots flying on light aircraft¹ to play an active role in making aviation safer by reporting the following incidents:

LIGHT AEROPLANES AND HELICOPTERS/GLIDERS/BALLOONS

- 1 Interaction with air navigation services (for example: incorrect services provided, conflicting communications or deviation from clearance) which has or could have endangered the aircraft/glider/balloon, its occupants or any other person.
- 2 Airspace infringement.
- 3 Any occurrence leading to an emergency call.
- 4 Fire, explosion, smoke, toxic gases or toxic fumes in the aircraft glider/balloon (beyond the normal operation of the burner).
- 5 Incapacitation of the pilot leading to inability to perform any duty.
- 6 Any flight which has been performed with an aircraft/glider/balloon which was not airworthy, or for which flight preparation was not completed, which has or could have endangered the aircraft/glider/balloon, its occupants or any other person.
- 7 Interference with the aircraft/glider/balloon by firearms, fireworks, flying kites, laser illumination, high powered lights lasers, Remotely Piloted Aircraft Systems, model aircraft or by similar means.

LIGHT AEROPLANES AND HELICOPTERS/GLIDERS

- 1 Unintentional loss of control.
- 2 Abnormal severe vibration (for example: aileron or elevator "flutter", or of propeller).
- 3 Any flight control not functioning correctly or disconnected.
- 4 A failure or substantial deterioration of the aircraft/glider structure.
- 5 A loss of any part of the aircraft/glider structure or installation in flight.
- 6 A collision on the ground or in the air, with an aircraft, terrain or obstacle.
- 7 A near collision, on the ground or in the air, with an aircraft, terrain or obstacle requiring an emergency avoidance manoeuvre to avoid a collision.

GLIDERS

- 1 An occurrence where the glider pilot was unable to release either the winch cable or the aerotow rope and had to do so using emergency procedures.
- 2 Any release of the winch cable or the aerotow rope if the release has or could have endangered the glider, its occupants or any other person.
- 3 In the case of a powered glider, an engine failure during take-off.
- 4 Any situation where no safe landing area remains available.
- 5 A lightning strike resulting in damage to the glider.

LIGHT AEROPLANES AND HELICOPTERS

- 1 Landing outside of intended landing area.
- 2 Inability or failure to achieve required aircraft performance expected in normal conditions during take-off, climb or landing.
- 3 Runway incursion
- 4 Runway excursion.
- 5 Unintended flight into IMC conditions of aircraft not IFR certified, or a pilot not qualified for IFR, which has or could have endangered the aircraft, its occupants or any other person.
- 6 A failure of an engine, rotor, propeller, fuel system or other essential system.
- 7 Leakage of any fluid which resulted in a fire hazard or possible hazardous contamination of aircraft structure, systems or equipment, or risk to occupants.
- 8 Wildlife strike including bird strike which resulted in damage to the aircraft or loss or malfunction of any essential service.
- 9 A lightning strike resulting in damage to or loss of functions of the aircraft.
- 10 Severe turbulence encounter which resulted in injury to aircraft occupants or in the need for a post-flight turbulence damage check of the aircraft.
- 11 Icing including carburettor icing which has or could have endangered the aircraft, its occupants or any other person.

BALLOONS

- 1 Unintended permanent extinction of the pilot light.
- 2 Failure of any of the following parts or controls: dip tube on fuel cylinder, envelope pulley, control line, tether rope, valve seal leak on burner, valve seal leak on fuel cylinder, carabiner, damage to fuel line, lifting gas valve, envelope or ballonnet, blower, pressure relief valve (gas balloon), winch (tethered gas balloons).
- 3 Significant leakage or loss of lifting gas (for example: porosity, unseated lifting gas valves).
- 4 Balloon's occupants ejected from basket or gondola.
- 5 Unintended lift or drag of ground crew, leading to fatality or injury of a person.
- 6 A collision or near collision on the ground or in the air, with an aircraft, terrain or obstacle which has or could have endangered the balloon, its occupants or any other person.
- 7 Unexpected encounter of adverse weather conditions which has or could have endangered the balloon, its occupants or any other person.

ALWAYS REPORT ANY OTHER OCCURRENCE THAT YOU CONSIDER SAFETY RELEVANT!

¹ This does not apply to non-EASA aircraft unless your country specifies so.

THE LAW PROTECTS YOU!

When reporting an occurrence, you and any person mentioned in your report are protected from adverse consequences that may come from your report

- ▶ Your identity and the identity of anyone mentioned in your report will be protected
- ▶ You report will not be disclosed unless necessary for safety
- ▶ Your report will not be used, inside and outside your organisation, to blame you or any person mentioned in it
- ▶ Exceptions are wilful misconduct and unacceptable behaviour¹
- ▶ You will have the possibility to report to a special entity in your State if you consider that you have not been adequately protected

More information on
www.aviationreporting.eu/justculture

This text is informative and is not intended to replace the applicable legal requirements contained in Regulation (EU) No 376/2014

¹ Unacceptable behaviour being defined as: manifest, severe and serious disregard of an obvious risk and profound failure of professional responsibility to take such care as is evidently required in the circumstances, causing foreseeable damage to a person or property, or which seriously compromises the level of aviation safety

Safety occurrence? Report it to your organisation!

[Pilots]



Reporting makes our industry safer

I feel confident to report because I am protected

Material prepared by



Pilots are mandated to report the following occurrences

→ AIR OPERATIONS

1. Use of incorrect data or erroneous entries into equipment used for navigation or performance calculations which has or could have endangered the aircraft, its occupants or any other person.
2. Carriage or attempted carriage of dangerous goods in contravention of applicable legislations including incorrect labelling, packaging and handling of dangerous goods.
3. Incorrect fuel type or contaminated fuel.
4. Missing, incorrect or inadequate De-icing / Anti-icing treatment.
5. Taxiway or runway excursion.
6. Actual or potential taxiway or runway incursion.
7. FATO incursion.
8. Any rejected take-off.
9. Inability to achieve required or expected performance during take-off, go-around or landing.
10. Actual or attempted take-off, approach or landing with incorrect configuration setting.
11. Tail, blade/wingtip or nacelle strike during take-off or landing.
12. Approach continued against air operator stabilised approach criteria.
13. Continuation of an instrument approach below published minimums with inadequate visual references.
14. Precautionary or forced landing.
15. Short and long landing.
16. Hard landing.
17. Loss of control.
18. Aircraft upset, exceeding normal pitch attitude, bank angle or airspeed inappropriate for the conditions.
19. Level bust.
20. Activation of any flight envelope protection, including stall warning, stick shaker, stick pusher and automatic protections.
21. Unintentional deviation from intended or assigned track of the lowest of twice the required navigation performance or 10 nautical miles.
22. Exceedance of aircraft flight manual limitation.
23. Operation with incorrect altimeter setting.
24. Jet blast or rotor and prop wash occurrences which have or could have endangered the aircraft, its occupants or any other person.

25. Misinterpretation of automation mode or of any flight deck information provided to the flight crew which has or could have endangered the aircraft, its occupants or any other person.
26. Unintentional release of cargo or other externally carried equipment.
27. Loss of situational awareness (including environmental, mode and system awareness, spatial disorientation, and time horizon).
28. Any occurrence where the human performance has directly contributed to or could have contributed to an accident or a serious incident.

→ TECHNICAL OCCURRENCES

1. Loss of any part of the aircraft structure in flight.
2. Loss of a system.
3. Loss of redundancy of a system.
4. Leakage of any fluid which resulted in a fire hazard or possible hazardous contamination of aircraft structure, systems or equipment, or which has or could have endangered the aircraft, its occupants or any other person.
5. Fuel system malfunctions or defects, which had an effect on fuel supply and/or distribution.
6. Malfunction or defect of any indication system when this results in misleading indications to the crew.
7. Abnormal functioning of flight controls such as asymmetric or stuck/jammed flight controls (for example: lift (flaps/slats), drag (spoilers), attitude control (ailerons, elevators, rudder) devices).
8. Failure or significant malfunction of any part or controlling of a propeller, rotor or powerplant.
9. Damage to or failure of main/tail rotor or transmission and/or equivalent systems.
10. Flameout, in flight shutdown of any engine or APU when required (for example: ETOPS, MEL).
11. Engine operating limitation exceedance, including overspeed or inability to control the speed of any high-speed rotating component (for example: APU, air starter, air cycle machine, air turbine motor, propeller or rotor).
12. Failure or malfunction of any part of an engine, powerplant, APU or transmission resulting in any one or more of the following:
 - a. thrust-reversing system failing to operate as commanded;
 - b. inability to control power, thrust or rpm;
 - c. non containment of components/debris.

→ INTERACTION WITH ANS AND ATM

1. Unsafe ATC clearance.
2. Prolonged loss of communication with ATS or ATM Unit.
3. Conflicting instructions from different ATS Units potentially leading to a loss of separation.
4. Misinterpretation of radio-communication which has or could have endangered the aircraft, its occupants or any other person.
5. Intentional deviation from ATC instruction which has or could have endangered the aircraft, its occupants or any other person.

→ EMERGENCIES AND OTHER CRITICAL SITUATIONS

1. Any event leading to the declaration of an emergency ('MAYDAY' or 'PAN call').
2. Any burning, melting, smoke, fumes, arcing, overheating, fire or explosion.
3. Contaminated air in the cockpit or in the passenger compartment which has or could have endangered the aircraft, its occupants or any other person.
4. Failure to apply the correct non-normal or emergency procedure by the flight or cabin crew to deal with an emergency.
5. Use of any emergency equipment or non-normal procedure affecting in-flight or landing performance.
6. Failure of any emergency or rescue system or equipment which has or could have endangered the aircraft, its occupants or any other person.
7. Uncontrollable cabin pressure.
8. Critically low fuel quantity or fuel quantity at destination below required final reserve fuel.
9. Any use of crew oxygen system by the crew.
10. Incapacitation of any member of the flight or cabin crew that results in the reduction below the minimum certified crew complement.
11. Crew fatigue impacting or potentially impacting their ability to perform safely their flight duties.

→ EXTERNAL ENVIRONMENT AND METEOROLOGY

1. A collision or a near collision on the ground or in the air, with another aircraft, terrain or obstacle.
2. ACAS RA.
3. Activation of genuine ground collision system such as GPWS /TAWS 'warning'.
4. Wildlife strike including bird strike.
5. FOD.
6. Unexpected encounter of poor runway surface conditions.
7. Wake-turbulence encounters.
8. Interference with the aircraft by firearms, fireworks, flying kites, laser illumination, high powered lights, lasers, Remotely Piloted Aircraft Systems, model aircraft or by similar means.
9. A lightning strike which resulted in damage to the aircraft or loss or malfunction of any aircraft system.
10. A hail encounter which resulted in damage to the aircraft or loss or malfunction of any aircraft system.
11. Severe turbulence encounter or any encounter resulting in injury to occupants or deemed to require a 'turbulence check' of the aircraft.
12. A significant windshear or thunderstorm encounter which has or could have endangered the aircraft, its occupants or any other person.
13. Icing encounter resulting in handling difficulties, damage to the aircraft or loss or malfunction of any aircraft system.
14. Volcanic ash encounter.

→ SECURITY

1. Bomb threat or hijack.
2. Difficulty in controlling intoxicated, violent or unruly passengers.
3. Discovery of a stowaway.

ALWAYS REPORT ANY OTHER OCCURRENCE THAT YOU CONSIDER SAFETY RELEVANT!