Commission Implementing Regulation (EU) 2015/1018 of 29 June 2015 laying down a list classifying occurrences in civil aviation to be mandatorily reported according to Regulation (EU) No 376/2014 of the European Parliament and of the Council (Text with EEA relevance)

COMMISSION IMPLEMENTING REGULATION (EU) 2015/1018

of 29 June 2015

laying down a list classifying occurrences in civil aviation to be mandatorily reported according to Regulation (EU) No 376/2014 of the European Parliament and of the Council

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to 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)], and in particular Article 4(5) thereof,

Whereas:

(1) Regulation (EU) No 376/2014 requires occurrence reporting systems to be established at organisation, Member State and Union levels, in view for all relevant civil aviation safety information to be reported, collected, stored, protected, exchanged, disseminated, analysed and followed-up. In addition, it provides for rules limiting the use of information collected to the enhancement of aviation safety and appropriately protecting the reporter and other persons mentioned in occurrence reports in view of ensuring a continued availability of safety information. Regulation (EU) No 376/2014 applies to all aircraft defined and covered by that Regulation, including manned aircraft and Remotely Piloted Aircraft Systems.

(2) According to the first subparagraph of Article 4(5) of Regulation (EU) No 376/2014, the Commission is required to adopt a list classifying occurrences to be referred to when reporting occurrences, under mandatory reporting systems set out in that Regulation, and which fall within the categories of Article 4(1) of that Regulation. A second list should contain, in accordance with the second subparagraph of Article 4(5) of Regulation (EU) No 376/2014, a classification of occurrences applicable to aircraft other than complex motor-powered aircraft. This second list should where appropriate, be adapted to the specificities of that aviation sector.

(3) The division in categories of occurrences to be reported provided for in Regulation (EU) No 376/2014 was established in order to allow the identification, by the persons

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designated by that Regulation, of the occurrences to be reported by each of them. In line with that objective, the lists of occurrences should be divided following the categories to which reporters should refer, according to their respective situation, in accordance with Regulation (EU) No 376/2014.

(4) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 65 of Regulation (EC) No 216/2008 of the European Parliament and of the Council[(2)].

HAS ADOPTED THIS REGULATION:

Article 1

The detailed classification of the occurrences to be referred to when reporting, through mandatory reporting systems, occurrences pursuant to Article 4(1) of Regulation (EU) No 376/2014 is set out in Annexes I to V to this Regulation.

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 15 November 2015.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 29 June 2015.

For the Commission

The President

Jean-Claude JUNCKER

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ANNEX I

OCCURRENCES RELATED TO THE OPERATION OF THE AIRCRAFT

Remark: This Annex is structured in such a way that the pertinent occurrences are linked with categories of activities during which they are normally observed, according to experience, in order to facilitate the reporting of those occurrences. However, this presentation must not be understood as meaning that occurrences must not be reported in case they take place outside the category of activities to which they are linked in the list.

1. AIR OPERATIONS

1.1. **Flight preparation**

(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.

1.2. **Aircraft preparation**

(1) Incorrect fuel type or contaminated fuel.

(2) Missing, incorrect or inadequate De-icing/Anti-icing treatment.

1.3. **Take-off and landing**

(1) Taxiway or runway excursion.

(2) Actual or potential taxiway or runway incursion.

(3) Final Approach and Take-off Area (FATO) incursion.

(4) Any rejected take-off.

(5) Inability to achieve required or expected performance during take-off, go-around or landing.

(6) Actual or attempted take-off, approach or landing with incorrect configuration setting.

(7) Tail, blade/wingtip or nacelle strike during take-off or landing.

(8) Approach continued against air operator stabilised approach criteria.

(9) Continuation of an instrument approach below published minimums with inadequate visual references.

(10) Precautionary or forced landing.

(11) Short and long landing.

(12) Hard landing.

1.4. **Any phase of flight**

(1) Loss of control.

(2) Aircraft upset, exceeding normal pitch attitude, bank angle or airspeed inappropriate for the conditions.

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(3) Level bust.

(4) Activation of any flight envelope protection, including stall warning, stick shaker, stick pusher and automatic protections.

(5) Unintentional deviation from intended or assigned track of the lowest of twice the required navigation performance or 10 nautical miles.

(6) Exceedance of aircraft flight manual limitation.

(7) Operation with incorrect altimeter setting.

(8) Jet blast or rotor and prop wash occurrences which have or could have endangered the aircraft, its occupants or any other person.

(9) 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.

1.5. **Other types of occurrences**

(1) Unintentional release of cargo or other externally carried equipment.

(2) Loss of situational awareness (including environmental, mode and system awareness, spatial disorientation, and time horizon).

(3) Any occurrence where the human performance has directly contributed to or could have contributed to an accident or a serious incident.

2. TECHNICAL OCCURRENCES

2.1. **Structure and systems**

(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).

2.2. **Propulsion (including engines, propellers and rotor systems) and auxiliary power units (APUs)**

(1) Failure or significant malfunction of any part or controlling of a propeller, rotor or powerplant.

(2) Damage to or failure of main/tail rotor or transmission and/or equivalent systems.

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(3) Flameout, in-flight shutdown of any engine or APU when required (for example: ETOPS (Extended range Twin engine aircraft Operations), MEL (Minimum Equipment List)).

(4) 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).

(5) 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 (revolutions per minute);

(c) non-containment of components/debris.

3. INTERACTION WITH AIR NAVIGATION SERVICES (ANS) AND AIR TRAFFIC MANAGEMENT (ATM)

(1) Unsafe ATC (Air Traffic Control) clearance.

(2) Prolonged loss of communication with ATS (Air Traffic Service) 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.

4. 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.