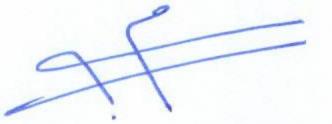
Part 2201 Aircraft Accident Investigation

This new part of the Jordanian Civil Aviation Regulations is hereby adopted under the authority and provisions of the Civil Aviation Law No. (41)2007.



Capt. Mohammad Amin Al-Quran Chief Commissioner/CEO Civil Aviation Regulatory Commission

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AIRCRAFT ACCIDENT INVESTIGATION

JCAR - PART 2201

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SUBPART – A General

- 2201.1 <u>Applicability</u>.
- 2201.3 <u>Effectivity</u>.
- 2201.5 <u>Definitions and abbreviations</u>.
- 2201.7 <u>Objective.</u>
- 2201.9 <u>State Safety Programme</u>
- 2201.11 <u>Authorization.</u>
- 2201.13 <u>Independence.</u>
- 2201.15 <u>Coordination.</u>
- 2201.17 <u>Scope of the Authorization.</u>
- 2201.19 Occurrences Requiring Investigation.
- 2201.21 Extent of Investigations.

SUBPART - B

Notification and Reporting, and Preservation of aircraft wreckage, mail, cargo, and records.

- 2201.23 <u>Applicability</u>
- 2201.25 Immediate notification.
- 2201.27 Information to be given in the notification.
- 2201.29 <u>Required particulars.</u>

2201.31	Preservation of aircraft wreckage, mail, cargo and	
	records and ATS recording.	

- 2201.33 <u>Reports and statements to be filed.</u>
- 2201.35 Reporting of Public Aircraft Accidents and Incidents.

SUBPART – C Accident and Incident Investigations Rules.

- 2201.37 <u>Applicability.</u>
- 2201.39 <u>Responsibility of the AAID.</u>
- 2201.41 <u>Non-disclosure of records.</u>
- 2201.43 <u>Nature of investigation.</u>
- 2201.45 Priority of the AAID.
- 2201.47 <u>Request to withhold information.</u>
- 2201.49 Flight recorders.
- 2201.51 Investigator-In-Charge(IIC).
- 2201.53 <u>Authority of the AAID representatives</u>
- 2201.55 Autopsies and Medical Tests.
- 2201.57 Advisors and Assistants.
- 2201.59 <u>Foreign Representatives.</u>

2201.61	Parties to the field investigation.
2201.63	Access to and release of wreckage, records, mail, and Cargo
2201.65	Flow and dissemination of accident information.
2201.67	Proposed findings.
2201.69	Prompt actions.
2201.71	Discontinuity and Re-opening of investigation.
2201.73	Unlawful acts.

- SUBPART –D Investigation Reports
- 2201.75 <u>Applicability.</u>
- 2201.77 <u>Notification by the AIU.</u>
- 2201.79 Notification Information.
- 2201.81 <u>Acknowledgement.</u>
- 2201.83 <u>Preliminary Report.</u>
- 2201.85 Final Report.
- 2201.87 Accident and Incident Data Report(ADREP).
- 2201.89 <u>Other Reports.</u>
- 2201.91 <u>Safety Recommendations.</u>

SUBPART – E

Accident Prevention Measures.

- 2201.93 <u>Applicab1lity.</u>
- 2201.95 Database systems and Analysis Preventive actions.
- 2201.97 <u>Reserved.</u>
- 2201.99 Exchange of Safety Information.

SUBPART – F

Reserved

SUBPART – G Authority for Investigation and Inspection

- 2201.113 Inspection Authority
- 2201.115 Admission to flight deck

Appendix-A

Guidance for the determination of Aircraft damaged.

Appendix-B

Occurrence Report Form; CARC/AAID 31-19

Appendix-C

Defect Report Form; CARC/AAID 31-19

2201.1 Applicability.

(a) This part prescribes the authorization and requirements to investigate airlines, commercial operators, and general aviation aircraft incidents, serious incidents, and accidents.

(b) In this part the specifications concerning the State of the operator apply only when an aircraft is leased chartered or interchanged and when that State is not the State of registry and if it discharges.

2201.3 Effectivity.

These regulations shall enter into effect as of the date mentioned hereunder, and shall superimpose any contradiction with any other JCARs.

2201.5 Definitions and abbreviations.

As used in this part the following words are defined as follows:

AAID: means Aircraft Accident Investigation Department.

Aircraft accident : An occurrence associated with the operation of an aircraft which, in the case of a manned aircraft, takes place between the time any person boards the aircraft with the intention of flight until such time as all such persons have disembarked, or in the case of an unmanned aircraft, takes place between the time the aircraft is ready to move with the purpose of flight until such time it comes to rest at the end of the flight and the primary propulsion system is shut down, in which:

- (a) A person is fatally or seriously injured as a result of:
 - (1) Being in the aircraft;
 - (2) Direct contact with any part of the aircraft, including parts which have become detached from the aircraft, or
 - (3) Direct exposure to jet blast.

(b) The aircraft sustain damage or structural failure which:

- (1) Adversely affects the structural strength, performance or flight characteristics of the aircraft, and
- (2) Would normally require major repair or replacement of the affected component, except for engine failure or damage, when the damage is limited to a single engine, including its cowlings or accessories, or for damage limited to propellers, wing tips, antennas, probes, vanes, tires,

brakes, wheels, fairings, panels, landing gear-doors, windscreens, the aircraft skin (such as small dents or puncture holes), or for minor damages to main rotor blades, tail rotor blades, landing gear, and those resulting from hail or bird strike (including holes in the radome); or

(c) The aircraft is missing or is completely inaccessible.

Note 1: For statistical uniformity only, an injury resulting in death within thirty days of the date of the accident is classified as a fatal injury by ICAO.

<u>Note 2:</u> An aircraft is considered to be missing when the official search has been terminated and the wreckage has not been located.

<u>Note 3:</u> Guidance for the determination of aircraft damage can be found in Appendix-A.

Accredited representative: A person designated by a State, on the basis of his or her qualifications, for the purpose of participating in an investigation conducted by another State. Where the CARC has established AAID, the designated accredited representative would normally be from AAID.

Adviser: A person appointed by a State, on the basis of his or her qualifications, for the purpose of assisting its accredited representative in an investigation.

Aircraft : Any machine that can derive support in the atmosphere from the reactions of the air other than the reactions of the air against the earth's surface.

CARC: Civil Aviation Regulatory Commission.

Causes: Actions, omissions, events, conditions, or a combination thereof, which led to the accident or incident. The identification of causes does not imply the assignment of fault or the determination of administrative, civil or criminal liability.

Civil aircraft : Any aircraft other than a State aircraft.

Contributing factors. Actions, omissions, events, conditions, or a combination thereof, which, if eliminated or avoided, would have reduced the probability of the accident or incident occurring, or mitigated the severity of the consequences of the accident or incident. The identification of contributing factors does not imply the assignment of fault or the determination of administrative, civil or criminal liability.

Flight recorder: Any type of recorder installed in the aircraft for the purpose of complementing accident/incident investigation.

Incident: An occurrence, other than an accident, associated with the operation of an aircraft which affects or could affect the safety of operation.

Note: The types of incidents which are of main interest to CARC for accident prevention studies are listed in 2201.25.

Investigation: A process conducted for the purpose of accident prevention which includes the gathering and analysis of information, the drawing of conclusions, including the determination of causes and/or contributing factors and, when appropriate, the making of safety recommendations.

Investigator-in-charge (IIC): A person charged, on the basis of his/her qualifications, with the responsibility for the organization, conduct and control of an investigation.

Maximum mass: Maximum certificated take-off mass.

Operator: A person, organization or enterprise engaged in or offering to engage in an aircraft operation.

Occurrence: means an accident, serious incident or incident.

Preliminary Report: The communication used for the prompt dissemination of data obtained during the early stages of the investigation.

Safety recommendation: A proposal of an accident Investigation Authority, based on information derived from an investigation, made with the intention of preventing accidents or incidents and which in no case has the purpose of creating a presumption of blame or liability for an accident or incident. In addition to safety recommendation arising from accident and incident investigations, safety recommendations may result from diverse sources, including safety studies.

Serious incident: An incident involving circumstances indicating that there was a high probability of an accident and is associated with the operation of an aircraft which, in the case of a manned aircraft, takes place between the time any person boards the aircraft with the intention of flight until such time as all such persons have disembarked, or in the case of an unmanned aircraft, takes place between the time the aircraft is ready to move with the purpose of flight until such time it comes to rest at the end of the flight and the primary propulsion system is shut down.

Note : The difference between an accident and a serious incident lies only in the result.

Serious injury: An injury which is sustained by a person in an accident and which:

- (a) Requires hospitalization for more than 48 hours, commencing within seven days from the date the injury was received;
- (b) Results in a fracture of any bone (except simple fractures of fingers, toes

or nose);

- (c) Involves lacerations which cause severe hemorrhage, nerve, muscle or tendon damage;
- (d) Involves injury to any internal organ;
- (e) Involves second or third degree burns, or any burns affecting more than five per cent of the body surface; or
- (f) Involves verified exposure to infectious substances or injurious radiation.

State of Design: The State having jurisdiction over the organization responsible for the type design.

State of Manufacture: The State having jurisdiction over the organization responsible for the final assembly of the aircraft.

State of Occurrence: The State in the territory of which an accident or incident occurs.

State of the Operator: The State in which the operator's principal place of business is located or, if there is no such place of business, the operator's permanent residence.

State of Registry: The State on whose register the aircraft is entered.

State Safety Programme: An integrated set of regulations and activities aimed at improving safety.

2201.7 Objective.

The sole objective of the investigation of an accident, serious incident, or incident shall be the prevention of accidents and incidents. It is not the purpose of this activity to apportion blame or liability.

2201.9 State Safety Programme.

CARC shall establish a State Safety Programme, in order to achieve an acceptable level of safety in civil aviation.

2201.11 Authorization.

(a) Chief Commissioner/CEO shall determine Investigation Committee to institute an investigation into the circumstances of an occurrence and be responsible for the conduct of the investigation.

(b) AAID's employees and/or investigation committee shall have unrestricted access to all evidential material without delay and are not impeded by administrative or

judicial investigations or proceedings.

(c) Head of Investigation Committee shall submit final report including probable causes and safety recommendations to Chief Commissioner/CEO.

2201.13 Independence.

(a) Chief Commissioner/CEO shall take steps to avoid conflict of interest, whenever seconded experts are attached to AAID for the purpose of aircraft accident investigation.

(b) Any investigation conducted with the provision of this part shall be separate from any judicial or administrative proceedings to apportion blame or liability.

(c) AAID shall have independence in the conduct of the investigation and have unrestricted authority over its conduct, consistent with the provision of this Part. The investigation shall normally include:

- (1) the gathering, recording and analysis of all relevant information on that accident or incident;
- (2) if appropriate, the issuance of safety recommendations;
- (3) if possible, the determination of the causes and/or contributing factors; and
- (4) the completion of the final report.

Where feasible, the scene of the accident shall be visited, the wreckage examined and statements taken from witnesses.

The extent of the investigation and the procedure to be followed in carrying out such an investigation shall be determined by AAID, depending on the lessons it expects to draw from the investigation for the improvement of safety.

2201.15 Coordination.

The Chief Commissioner/CEO shall ensure that the investigators recognize the need for coordination between the Investigator-in-charge and the other parties such as judicial authorities. Particular attention shall be given to evidence, which requires prompt recording and analysis for the investigation to be successful, such as the examination and identification of victims and readouts of flight recorder recordings.

2201.17 Scope of the Authorization.

The authorization to be exercised as defined in 2201.11 shall further include, the authorization of the AAID to request autopsies and such other tests of the remains of the deceased persons in connection with the accident necessary to the investigation and such authorization may be delegated to any official employee.

2201.19 Occurrences Requiring Investigation.

(a) Every accident or serious incident to which these regulations apply shall be the subject of an investigation.

(b) The Director of the AAID may take measures to investigate any incident, that is not a serious incident where he considers such an investigation may be expected to draw significant air safety lessons.

2201.21 Extent of Investigations.

The extent of investigations and the procedure to be followed shall be determined, in writing, by the Director of the AAID, taking into account the objective of the investigation.

SUBPART – B

Notification and Reporting, and Preservation of aircraft wreckage, mail, cargo, and records.

2201.23 Applicability.

This subpart contains rules pertaining to:

(a) Notification and reporting aircraft accidents, serious incidents, and incidents and certain other occurrences in the operation of aircraft when they involve a Jordanian registered civil aircraft wherever they occur, or foreign civil aircraft when such events occur in Jordan.

(b) Reporting aircraft accidents and listed incidents in the operation of aircraft when they involve certain State aircraft.

(c) Preservation of aircraft wreckage, mail, cargo, and records involving all civil aircraft in Jordan territories.

(d) Preservation of Air Traffic Services (ATS) relevant records and recordings.

(e) The notification shall be prepared in one of the working languages of ICAO, taking into account the language of the recipients(s), whenever it is possible to do so without causing undue delay.

2201.25 Immediate notification.

Note: The incidents listed in this section are typical examples of incidents that are likely to be serious incidents. The list is not exhaustive and only serves as guidance to the definition of serious incident.

(a) The operator of an aircraft, shall immediately and by the most expeditious means available, notify Chief Commissioner/CEO and AAID when:

(1) An aircraft accident or any of the following listed incidents occur:

- (i) Flight control system malfunction or failure,
- (ii) Inability of any required flight crewmember to perform normal flight duties as result of injury or illness (Flight crew incapacitation in flight).
- (iii) Aircraft structural failures or engine disintegrations, including uncontained turbine engine failures, not classified as an accident.
- (iv) Fires and smoke in the passenger compartment, in cargo compartments or engine fires, even though such fires were extinguished by the use of extinguishing agents.
- (v) Near collisions requiring an avoidance maneuver to avoid a collision or an unsafe situation or when an avoidance action would have been appropriate.
- (vi) Damage to property other than the aircraft.
- (vii) Controlled flight into terrain only marginally avoided (CFIT).
- (viii) Aborted take-offs on a closed or engaged runway, on a taxiway or unassigned runway.
- (ix) Take-offs from a closed or engaged runway from a taxiway or unassigned runway.
- (x) Landings or attempted landings on a closed or engaged runway, on a taxiway or unassigned runway.
- (xi) Gross failures to achieve predicted performance during take- off or initial climb.
- (xii) Events requiring the emergency use of oxygen by the flight crew.
- (xiii) Multiple malfunctions of one or more aircraft systems seriously affecting the operation of the aircraft.

- (xiv) Flight crew incapacitation in flight.
- (xv) Fuel quantity requiring the declaration of an emergency by the pilot.
- (xvi) Runway incursions classified with risk severity A. Note: Severity "A"; A serious incident in which a collision is narrowly avoided.
- (xvii) Take-off or landing incidents. Incidents such as undershooting, overrunning or running off the side of runways.
- (xviii)System failures, weather phenomena, operations outside the approved flight envelope or other occurrences which could have caused difficulties controlling the aircraft.
- (xix) Failure of more than one system in a redundancy system mandatory for flight guidance and navigation.
- (xx) Failure of radio communication from ATC units to aircraft.
- (xxi) Undeclared or miss declared dangerous goods in cargo.

(2) For large multi-engine aircraft of more than 5700kgs maximum certificated takeoff weight:

- (i) In flight failure of electrical system, which requires the sustained use of an emergency bus; powered by a back up source such as a battery, auxiliary power unit, or air driven generator to retain flight control or essential instruments;
- (ii) In flight failure of hydraulic system that results in sustained reliance on the sole remaining hydraulic or mechanical system for movement of flight control surfaces;
- (iii) Sustained loss of the power or thrust produced by two or more engines; and
- (iv) An evacuation of aircraft in which emergency egress system is utilized.

(3) An aircraft is overdue and is believed to have been involved in an accident.

(b) Air Traffic Controller (ATC) or any recipient of a notification of accident or serious incident within the Civil Aviation Regulatory Commission shall in turn notify the AAID immediately and by the most expeditious means.

(c) However, nothing in these regulations shall prevent any person having knowledge of an occurrence from notifying it to the AAID, by any means. Such persons may be the police, Air Force, ATCs, flight crews, passengers, and other members of the public.

(d) AAID shall establish a voluntary incident reporting system to facilitate collection of information on actual or potential safety deficiencies that may not be captured by the mandatory incident reporting system.

(e) A voluntary incident reporting system shall be non-punitive and afford protection to the sources of the information. Attached Occurrence Report CARC/AAID Form 31-19 shall be used to submit a voluntary report; the submission form shall be clearly annotated **CONFIDENTIAL**.

Note: CARC, service providers and air operators are encouraged to facilitate and promote the voluntary reporting of events that could affect aviation safety by adjusting their applicable laws, regulations and policies, as necessary.

2201.27 Information to be given in the notification.

The notification required under section 2201.25(a) shall be filled in attached Occurrence Report CARC/AAID Form 31-19 or in attached Defect Report CARC/AAID 31-19D and contain the following information as far as possible and available:

(a) Type, nationality and registration marks of the aircraft;

(b) Name of owner, and operator of the aircraft;

(c) Qualification of the pilot-in-command, and nationality of crew and passengers;

(d) Date and time of the accident or incident;

(e) Last point of departure and point of intended landing of the aircraft; and the purpose of the flight;

(f) Position of the aircraft with reference to some easily defined geographical point;

(g) Number of persons aboard, number killed, and number seriously injured;

(h) Nature of accident or serious incident, the weather and the extent of damage to the aircraft, so far as is known; and

(i) A description of any explosives, radioactive materials, or other dangerous articles carried on board of the aircraft.

2201.29 Required particulars.

(a) Where an occurrence takes place, whether in Jordan territories or elsewhere, the owner, operator, or pilot in command of the aircraft shall, if so required by notice in writing from the Director of the AAID, send to the Director of the AAID within such times as may be specified in the notice, such information as is in his or her possession or control in respect of the occurrence, in such form as the Director of the AAID may require.

(b) If the particulars required by paragraph (a) be included are not readily available at the time of the accident or serious incident, the notice shall contain such of the particulars as are available and a further notice containing the remaining particulars shall be furnished as soon as possible thereafter.

2201.31 Preservation of aircraft wreckage, mail, cargo and records; and ATS recordings.

(a) The operator of an aircraft involved in an accident or incident for which notification must be given under section 2201.25 (a) is responsible for preserving, to the extent possible, any aircraft wreckage, cargo, and mail aboard the aircraft, and all records, including all recording medium of flight, maintenance, and voice recorders, pertaining to the operations and maintenance of the aircraft and to the airmen until the AAID takes custody thereof or a release is granted.

(b) Prior to the time the AAID authorized representative takes custody of aircraft wreckage, mail or cargo, such wreckage, mail, or cargo may not be disturbed or moved except to the extent necessary:

- (1) to remove persons injured or trapped;
- (2) to protect the wreckage from further damage;
- (3) to protect the public from injury; or
- (4) by permission from the Investigator-in-charge.

(c) The search and rescue units and units involved in guarding the wreckage must see that item (b) is enforced until the information necessary for the investigation of the accident is completed.

(d) Where it is necessary to move aircraft wreckage, mail, or cargo: sketches, descriptive notes, and photographs shall be made, if possible, of the original positions and condition of the wreckage and any significant impact marks.

(e) The operator of an aircraft involved in an accident or incident shall retain all records, reports, internal documents, and memoranda dealing with the accident or incident until authorized by the AAID to the contrary.

(f) ATS Office is responsible for the preservation of relevant records and recordings of the aircraft involved in the accident or serious incident until the AAID takes custody.

(g) Standards and Safety Departments are responsible to assure that paragraphs (a), (b), (c), (d), (e) and (f) of this section are complied with, and shall also preserve the aircraft records until the AAID takes custody.

2201.33 Reports and statements to be filled.

(a) Reports. The operator of an aircraft and service providers shall fill a report in a form prescribed by CARC within 10 days after an accident or after 7 days if an overdue aircraft is still missing. A report on an incident for which notification is required by section 2201.25 (a) shall be filled within 10 days.

(b) Crewmember statement. Each crewmember, if physically able at the time the report is submitted, shall attach a signed and dated statement setting forth the facts, conditions, and circumstances relating to the accident or incident as they appear to him. If the crew member is incapacitated, he / she shall submit the statement as soon as physically able to do so.

2201.35 Reporting of State Aircraft Accidents and Incidents.

The operator of a State aircraft other than an aircraft of the Armed Forces shall send a report to the AAID within 10 days after an accident or incident listed in section 2201.25 (a).

Subpart-C

Accident and Incident Investigations Rules.

2201.37 Applicability.

Unless otherwise specifically ordered by the Council of CARC, the provision of this subpart shall govern all aircraft accidents/incidents investigations.

2201.39 Responsibility of the AAID.

(a) The AAID shall develop documented policies and procedures detailing accident investigation authority's duties. These shall include organization, planning, investigation and reporting.

(b) The AAID shall initiate the investigation of an accident and/or serious incident immediately. It is responsible for the organization, conduct and control of all

accident and serious incident investigations involving civil aircraft, or civil with military aircraft, within Jordan. It is also responsible for the investigation of such accidents which occur outside Jordan, at location determined to be not in the territory of another State (i.e., in international waters). The AAID may delegate the whole or any part of the conducting of such investigation to another State or a regional accident investigation organization by mutual arrangement and consent and it shall use every means to facilitate the investigation.

In the case of an accident or serious incident involving civil aircraft of Jordanian registry or manufacture in a foreign State which is a signatory to Annex 13 to the Chicago Convention of the International Civil Aviation Organization, the State of occurrence is responsible for the investigation. When the accident or the serious incident has occurred in the territory of a non-Contracting State which does not intend to conduct an investigation in accordance with Annex 13, the State of Registry or, failing that, the State of the Operator, the State of Design or the State of Manufacture should endeavour to institute and conduct an investigation in cooperation with the State of Occurrence but, failing such cooperation, should itself conduct an investigation with such information as is available. If it occurs in a foreign State which is not bound by the provisions of Annex 13 to the Chicago Convention, the conduct of the investigation shall be in consonance with any agreement entered into between Jordan and the foreign State.

<u>Note 1:</u> The investigation of a serious incident does not exclude other already existing types of investigation of incidents (serious or not) by other organizations.

<u>Note 2:</u> When the whole investigation is delegated to another State or a regional accident investigation organization, such a State is expected to be responsible for the conduct of the investigation, including the issuance of the Final Report and the ADREP reporting. When a part of the investigation is delegated, CARC usually retains the responsibility for the conduct of the investigation.

<u>Note 3:</u> In the case of investigation of an unmanned aircraft system, only aircraft with a design and/or operational approval are to be considered.

<u>Note 4:</u> In the case of serious incidents, the State of Occurrence may consider delegating the investigation to the State of Registry or the State of the Operator, in particular those involving occurrences in which it might be beneficial or more practical for one of these States to conduct the investigation.

2201.41 Non-disclosure of records.

(a) Investigator-in-charge conducting the investigation of an accident or incident shall not make the following records available for purposes other than accident or incident investigation, unless the appropriate authority for the administration of justice in Jordan determines that their disclosure outweighs the adverse domestic and international impact such action may have on that or any future investigations:

- (1) All statements taken from persons by the investigation authorities in the course of their investigation;
- (2) All communications between persons having been involved in the operation of the aircraft;
- (3) Medical or private information regarding persons involved in the accident or incident;
- (4) Cockpit voice recordings and transcripts from such recordings;
- (5) Recordings and transcripts of recordings from air traffic control units;
- (6) Cockpit airborne image recordings and any part or transcripts such recordings; and
- (7) Opinions expressed in the analysis of information, including flight recorder information.

(b) The records shall be included in the final report or its appendices only when pertinent to the analysis of the accident or incident. Parts of the records not relevant to the analysis shall not be disclosed.

(c) The names of the persons involved in the accident or incident shall not be disclosed to the public by the AAID and/or any seconded expert (s).

2201.43 Nature of investigation.

(a) Accident or serious incident investigations are conducted by AAID in order to determine the facts, conditions, and circumstances relating to each accident or serious incident and the probable cause thereof; and to ascertain measures which will best tend to prevent similar accident or incident in the future. The investigation includes the field investigation, and the report reparation.

Accident investigations are fact-finding proceedings with no formal issues and no adverse parties. They are not conducted for the purpose of determining the rights or liabilities of any person.

b) AAID shall not use or make available for the purpose of prosecution investigation or for persecution action any information submitted to it by a person under Part 2201 unless:

- (1) The information reveals an act or omission that caused unnecessary danger to any other person or to any property; or
- (2) False information is submitted; or
- (3) The Authority is obliged to release the information pursuant to a statutory requirements or by order of court.

2201.45 Priority of AAID.

Any investigation of an accident or serious incident conducted by AAID shall have priority over all investigations of such accident or serious incident conducted by other Government Authorities. AAID shall provide for the appropriate participation by other Government Authorities in any such investigation, except that such Government Authorities may not participate in the AAID determination of the probable cause of the accident or serious incident. Nothing in this section impairs the authority of other Government Authorities to conduct investigations of an accident under applicable provisions of law or to obtain information directly from parties involved in, and witnesses to, the accident or serious incident. AAID and other Government Authorities shall assure that appropriate information obtained or developed in the course of their investigation is exchanged in a timely manner.

2201.47 Request to withhold information.

Any person may make a written objection to the public disclosure of any information contained in any report or document filled, or otherwise obtained by the AAID, stating the grounds for such objection. The AAID, on its initiative or if such objection is made, may order such information withheld from public disclosure when, in its judgment, the release is not found to be in the public interest.

2201.49 Flight recorders.

(a) CARC shall contract with other State/States to use the facilities made available to it by that State/States, giving consideration to Annex 13, attachment D, in particular:

(1) The capabilities of read-out facility;

(2) The timeliness of the readout; and

(3) The location of the read-out facility.

(b) CARC shall insure that adequate facilities to read out the recording of radar data and ATS communications are available.

2201.51 Investigator-In-Charge (IIC).

(a) Chief Commissioner/CEO shall appoint an investigator, or any other qualified person, to be the investigator-in-charge for any investigation conducted by CARC. Where the Investigator-in-charge shall initiate the investigation immediately.

(b) The Investigator-in-charge shall be independent of any parties involved in the accident or serious incident, and of the authorities referred to in section 2201.11 or any other body whose interests could conflict with the task entrusted to

the Investigator-in-charge.

(c) The Investigator-in-charge organizes, conducts, controls, and manages the field phase of investigation. He/she shall assume responsibility for the supervision and coordination of all resources and activities of all personnel, both AAID and non- AAID, involved in the onsite investigation.

2201.53 Authority of the AAID representatives.

(a) Any personnel of AAID, upon presenting appropriate credentials, is authorized:

- (1) To enter any property where an accident or serious incident has occurred, or wreckage from any such accident or serious incident is located, and take all measures considered necessary for proper investigation. Upon demand of an authorized representative of AAID and presentation of credentials issued to such representative, any Government authority, or person having possession or control of any aircraft or transportation vehicle or component thereof, any facility, equipment, process or controls, relevant to the investigation, or any pertinent records and memoranda, including all files, hospital records and correspondence then or thereafter existing, and kept or required to be kept, shall forthwith permit inspection, photographing, or copying thereof by such authorized representative for the purpose of investigating an aircraft accident or serious incident, or overdue aircraft, or related to any special investigation pertaining to safety or the prevention of accidents. Authorized AAID may question Representatives of the any person having knowledge relevant to an aircraft accident or serious incident, or overdue aircraft, or special investigation.
- (2) To examine and test, to the extent necessary, any civil aircraft, aircraft engine, propeller, appliance, or property aboard an aircraft involved in accident or serious incident.

(b) Without prejudice to the generality of subpart A, for the purpose of the investigation of an occurrence to which these regulations apply, or any inquiry undertaken to determine if an investigation should be undertaken, an investigator may:

(1) Give to any person in the vicinity of an aircraft or wreckage of an aircraft involved in an occurrence, or any site or object the investigator considers, on reasonable grounds, might be relevant to the investigation of the occurrence or any such inquiry, such directions, orally or in writing, to prevent or regulate the access of the person to the aircraft, wreckage, site or object, and for such period, as the investigator considers necessary to enable a proper investigation of the occurrence of such inquiry to be carried out under these regulations;

(2) Require the attendance of any person as the investigator thinks fit to call before him or her, examine them for the purpose of the investigation and require answers to return to any inquiry the investigator thinks fit to make; and any such person, to make and sign a declaration, as to the truth of any statement made by the person in the examination. Such person may include the owner, the operator, or the manufacturer of the aircraft or any of its components or system, or the authorities responsible for civil aviation or airport operations.

2201.55 Autopsies and Medical Tests.

(a) The AAID is authorized to obtain a copy of the report of the autopsy performed by the government officials on any person who dies as a result of having been involved in aircraft accident within the jurisdiction of Jordan. The Investigator-in-charge may request an autopsy or seek other tests of such persons as may be necessary to the investigation.

(b) The AAID is authorized to require any person involved in the operation of the aircraft to be medically or otherwise examined or to give sample for analysis or testing.

2201.57 Advisors and Assistants.

Chief Commissioner/CEO may:

(a) Appoint one or more qualified persons to assist or advise the investigator-incharge during an investigation and such person or persons shall have such functions of an investigator under these regulations as may be specified at time of his appointment.

(b) Direct that an appointment under paragraph (a) of this section shall receive such remuneration, if any.

2201.59 Foreign Representatives.

(a) Rights and entitlement:

- (1) The State of Registry, the State of the Operator, the State of Design and the State of Manufacture shall each be entitled to appoint an accredited representative to participate in the investigation.
- (2) Any State which on request provides information, facilities or experts to the AAID during conducting the investigation shall be entitled to appoint an accredited representative to participate in the investigation.

- (3) A State which has a special interest in an accident by virtue of fatalities or serious injuries to its citizens shall, be entitled to appoint an expert who shall be entitled to:
 - (i) Visit the scene of the accident;
 - (ii) Have access to the relevant factual information, which is approved for public release by Chief Commissioner/CEO and information on the progress of investigation; and
 - (iii) Receive a copy of the final report.

This will not preclude the State from also assisting in the identification of victims and in meetings with survivors from that State.

(b) AAID shall release, at least during the first year of the investigation, established factual information and indicate the progress of the investigation in a timely manner.

(c) A State entitled to appoint an accredited representative shall also be entitled to appoint one or more advisors to assist the accredited representative in the investigation. The participation of such advisors in the investigation shall be agreed between the Investigator-in-charge and the accredited representative.

(d) A person appointed to an investigation as assistant, an accredited representative, and an advisor to an accredited representative shall:

- (1) Provide the Investigator-in-charge with all relevant information available to them, and
- (2) Respect the confidentiality of the investigation, and shall not provide information on the progress, evidence and findings of the investigation without the express written consent of the Investigator-in-charge.

2201.61 Parties to the field investigation.

(a) Chief Commissioner/CEO may request parties to participate in the field investigation. Parties to the field investigation shall be limited to those persons, Government departments, companies, and associations whose employees, functions, activities, or products were involved in the accident or serious incident and who can provide suitable qualified technical personnel actively to assist in the investigation.

(b) Participants in the field investigation shall be responsive to the direction of the Investigator-in-charge and may be relieved from participation if they do not comply with their assigned duties or if they conduct themselves in a manner prejudicial to the investigation.

(c) No party to the field investigation designated under paragraph (a) shall be represented by any person who also represents claimants or insurers.

2201.63 Access to and release of wreckage, records, mail, and cargo.

(a) Only the AAID's assigned investigation personnel and persons authorized as per section 2201.61 to participate in any particular investigation, examination or testing shall be permitted access to wreckage, records, mail, or cargo which is in the AAID's custody.

(b) Wreckage, record, mail, and cargo in the AAID's custody shall be released by the Investigator-in-charge when it is determined that the AAID has no further need to such wreckage, mail, cargo, or records.

- (c) Notwithstanding paragraph (b):
 - (1) The aircraft or any part of the aircraft may be removed or interfered with so far as may be necessary for the purpose of extricating persons or animals from the aircraft, removing any mail carried by the aircraft, preventing destruction by fire or any other cause, or preventing any danger or obstruction to the public or to air navigation or to other means of transport.
 - (2) Goods or passenger's baggage may, if released by a person authorized under these regulations as not being required as evidence, be removed from the aircraft under the supervision of a member of the AAID, but in the case of an aircraft which has come directly from a place outside Jordan, shall not be removed from the aircraft, or the vicinity of the aircraft, except with the consent of an authorized representative of Customs and Security.
 - (3) The aircraft or any of its parts or contents, if laying in a position of danger to life or property or to the aircraft, part or contents, or if wrecked in water, may be moved to such extent as may be necessary for bringing it or them to a place of safety, and
 - (4) Where it is necessary to disturb or move aircraft wreckage, or any mail or cargo in the aircraft or wreckage, the person supervising the disturbance shall, whenever possible, take measures which may include the preparation of descriptive notes, the taking of accurate measurements, the making of sketches and the taking of photographs to record the original scene, and the position and condition of wreckage and of any significant impact marks.

2201.65 Flow and dissemination of accident information.

(a) Release of information during the field investigation, particularly at the accident scene, shall be limited to factual development, and shall be made only through the Chief Commissioner/CEO or an authorized person by him/her.

(b) All information concerning the accident or serious incident obtained by any personnel participating in the field investigation shall be passed to the Investigator-in-charge, through appropriate channels. Upon the approval of the Investigator-in-charge, parties to the investigation may relay to their executive organization information which is necessary for purposes of prevention or remedial action. Under no circumstances shall accident information released to, or discussed with, unauthorized person whose knowledge thereof might adversely affect the investigation.

(c) AAID's employee or any seconded experts are attached to AAID shall not circulate, publish or give access to a draft final report or any part thereof, or any documents obtained during an investigation of an accident or incident, without the express consent of the State which conducted the investigation, unless such reports or documents have already been published or released by that State.

2201.67 Proposed findings.

Any person, Government department, company, or association whose employees, functions, activities, or products were involved in an accident under investigation may submit to the AAID written proposed findings to be drawn from the evidence produced during the course of the accident investigation, a proposed probable cause, and proposed safety recommendations designed to prevent future accidents.

2201.69 Prompt actions.

At any stage of the investigation of an occurrence, wherever it took place, the AAID shall recommend in a dated transmittal correspondence to the appropriate authorities, including those in other States, and CARC departments, any preventive action which need to be taken promptly to prevent similar occurrences, and when ICAO documents are involved, to ICAO.

2201.71 Discontinuity and Re-opening of investigation.

(a) Investigator-in-charge may determine that an investigation into an occurrence should be discontinued, in this case no final report of the investigation is required.

(b) An investigation into an occurrence may be discontinued once a determination has been made as to whether or not airworthiness matters were concerned in the cause of the occurrence and where a determination is made that such matters were so concerned, the Investigator-in-charge shall submit a report to Chief Commissioner/CEO detailing the investigator's findings in respect of those matters.

(c) If, after the investigation has been closed, new and significant evidence becomes available, AAID shall re-open it. However, when the State which

conducted the investigation did not institute it, that State shall first obtain the consent of the State which instituted the investigation.

2201.73 Unlawful acts.

If in the course of an investigation it becomes known or is suspected that an act of unlawful interference was involved, in the occurrence, the investigator-in- charge shall immediately initiate action to ensure that the concerned aviation security authorities are informed.

SUBPART - D Investigation Reports.

2201.75 Applicability.

(a) This subpart prescribes rules governing the Notifications, Preliminary Reports, Final Reports, and Data Reports, to accident and serious incidents, by the AAID.

(b) The Preliminary Report shall be submitted to appropriate States and to the International Civil Aviation Organization in one of the working languages of ICAO.

2201.77 Notification by AAID.

In cases of accidents and serious incidents to aircraft which occur in the territory of Jordan, the AAID shall forward a notification as soon as possible and by the most suitable and quickest means available to all States as per paragraph 4.1 of Annex 13, as appropriate:

- i) the State of Registry;
- ii) the State of the Operator;
- iii) the State of Design;
- iv) the State of Manufacture; and
- v) the International Civil Aviation Organization, when the aircraft involved is of a maximum mass of over 2 250 kg or is a turbojet-powered aeroplane.

2201.79 Notification Information.

The notification required by section 2201.77, shall include as far as possible:

(a) For accidents the identifying abbreviation ACCID, for serious incidents INCID;

(b) Manufacturer, model, nationality and registration marks, and serial number of the aircraft;

(c) Name of owner, operator and hirer of the aircraft;

(d) Qualification of the pilot-in-command, and nationality of crew and passengers;

(e) Date and time (UTC) of the accident or serious incident;

(f) Last point of departure and point of intended landing of the aircraft;

(g) Position of the aircraft with reference to some easily defined geographical point and latitude and longitude;

(h) Number of crew and passengers on board, number killed and seriously injured; others, killed and seriously injured;

(i) Nature of the accident or serious incident and the extent of damage to the aircraft so far as is known;

(j) An indication to what extent the investigation will be conducted or where it is proposed to be delegated;

(k) Physical characteristics of the accident or serious incident area; and

(l) Identification of Jordan.

However, the notification should not be delayed for lack of information, and follow up message can be forwarded as information becomes available to the AAID.

2201.81 Acknowledgement.

In response to a notification of an accident or serious incident to a Jordanian registered aircraft in another country:

(a) The Director of the AAID shall acknowledge the notification.

(b) Relevant information concerning the aircraft and flight crewmember including dangerous goods shall be assembled by the AAID for onward transmission.

(c) The Director of the AAID shall inform the State of Occurrence if accredited representative is being sent to participate in the investigation, with the details of the representative and expected date, time, and point of arrival.

201.83 Preliminary Report.

(a) The Preliminary Report is an advisory report of the circumstances of the accident or serious incident, and should contain the basic and factual information on

the accident or serious incident which is normally available within the first three to four weeks of the investigation.

(b) The AAID shall submit a preliminary report to Chief Commissioner/CEO within a maximum of thirty days of the date of the accident or serious incident.

(c) The report will be in a written form and contains, as far as possible, the maximum relevant information to the accident or serious incident at this stage. The prescribed forms in the ICAO's accident investigation manuals will be filled out if resources are available.

(d) When the aircraft involved in an accident is of a maximum mass of over 2 250 kg, Chief Commissioner/CEO will send the preliminary report to:

- i) the State of Registry or the State of Occurrence, as appropriate;
- ii) the State of the Operator;
- iii) the State of Design;
- iv) the State of Manufacture;
- v) any State that provided relevant information, significant facilities or experts; and
- vi) the International Civil Aviation Organization.

201.85 Final Report.

(a) The format of the Final Report in the Appendix of Annex 13 to Chicago Convention shall be used. However, it may be adapted to the circumstances of the accident or incident.

(b) Investigator-in-charge conducting the investigation shall send a copy of the draft Final Report to the following States inviting their significant and substantiated comments on the report as soon as possible:

- i) the State that instituted the investigation;
- ii) the State of Registry;
- iii) the State of the Operator;
- iv) the State of Design;
- v) the State of Manufacture; and
- vi) any State that participated in the investigation.

If the Investigator-in-charge receives comments within sixty days of the date of the transmittal letter, he/she shall either amend the draft Final Report to include the substance of the comments received or, if desired by the State that provided comments, append the comments to the Final Report. If the Investigator-in-charge receives no comments within sixty days of the date of the first transmittal letter, it

shall issue the Final Report in accordance with (e) below, unless an extension of that period has been agreed by the States concerned.

(c) Investigator-in-charge when conducting the investigation shall send, through the State of the Operator, a copy of the draft Final Report to the operator to enable the operator to submit comments on the draft Final Report. Also, AAID when conducting the investigation should send, through the State of Design and the State of Manufacture, a copy of the draft Final Report to the organizations responsible for the type design and the final assembly of the aircraft to enable them to submit comments on the draft Final Report.

(d) On completion of the investigation, the Investigator-in-charge shall submit to Chief Commissioner/CEO a final report of the investigation, where possible within 12 months of the date of accident. The Final Report shall state the circumstances of the accident and contain conclusions as to its probable cause, together with any observations and safety recommendations which the Investigator-in-charge thinks fit to make, and with a view to the preservation of life and the avoidance of similar accidents in the future.

(e) The report shall be sent with a minimum of delay to:

- i) the State that instituted the investigation;
- ii) the State of Registry;
- iii) the State of the Operator;
- iv) the State of Design;
- v) the State of Manufacture;
- vi) any State that participated in the investigation;
- vii) any State having suffered fatalities or serious injuries to its citizens; and
- viii) any State that provided relevant information, significant facilities or experts.

(f) In the interest of accident prevention, and upon the directions of Chief Commissioner/CEO, the Director of the AAID shall make the Final Report public available as soon as possible; and if possible within twelve months.

Note: Making a Final Report publicly available can be achieved by posting it on the internet, and does not necessarily require a hard-copy publication of the Final Report.

(g) AAID when conducting the investigation shall release the Final Report in the shortest possible time and, if possible, within twelve months of the date of the occurrence. If the report cannot be released within twelve months, AAID then should release an interim report on each anniversary of the occurrence, detailing the progress of the investigation and any safety issues raised.

(h) When AAID has conducted an investigation into an accident or an incident involving an aircraft of a maximum mass of over 5 700 kg has released a Final Report, shall send to the International Civil Aviation Organization a copy of the Final Report.

2201.87 Accident and Incident Data Report (ADREP).

(a) When the aircraft involved in an accident is of a maximum mass of over 2 250 kg, the Investigator-in-charge shall send, as soon as practicable after the investigation, the Accident Data Report to the International Civil Aviation Organization.

(b) If AAID conducts an investigation into an incident to an aircraft of a maximum mass of over 5 700 kg, it shall send, as soon as is practicable after the investigation, the Incident Data Report as per ICAO Doc. 9156 to the International Civil Aviation Organization.

2201.89 Other Reports.

Upon directions of Chief Commissioner/CEO, the Director of the AAID will publish synoptic reports of any occurrence which it has caused to be investigated. Such reports may contain safety recommendations.

2201.91 Safety Recommendations.

(a) A safety recommendation shall in no case create a presumption of blame or liability for an occurrence.

(b) At any stage of the investigation of an accident or incident, the AAID shall recommend in a dated correspondence to the appropriate authorities, including those in other States, any preventive action that it considers necessary to be taken promptly to enhance aviation safety.

(c) A national authority or other organization in a State to whom a safety recommendation has been addressed shall, as soon as practicable after receiving it, furnish the Director of AAID with a statement indicating the corresponding preventive action taken or under consideration, or the reasons why no action will be taken.

(d) When AAID receives safety recommendations, it shall inform the proposing State within ninety days of the date of the transmittal correspondence, of the preventive action taken or under consideration, or the reasons why no action will be taken.

(e) AAID shall implement procedures to record the responses to the safety recommendations and to monitor the progress of the action taken in response to

the safety recommendations received from other States.

(f) Standard and Safety Departments are responsible for the implementation and follow up of safety recommendations with the concerned parties.

SUBPART-E Accident Prevention Measures

2201.93 Applicability.

This Subpart prescribes the specifications of database systems, preventive actions and exchange of safety information.

2201.95 Database systems and analysis – Preventive actions

(a) The Aircraft Accident Investigation Department (AAID) shall establish and maintain an accident and incident database to facilitate the effective analysis of information on actual or potential safety deficiencies obtained and therein contained, including that from its incident reporting systems, and to determine any preventive actions required.

(b) The database systems shall use standardized formats to facilitate data exchange.

(c) Operators and service providers are allowed to investigate incidents; deviations/minor violations, internally by investigators certified by CARC.

(d) Certificated investigators shall send investigation reports described in paragraph (c) above to AAID by CARC/AAID form 31-19 within 90 days.

(e) The AAID shall, following the identification of preventive actions required to address actual or potential safety deficiencies, implement these actions and establish a process to monitor implementation and effectiveness of the responses.

(f) If the AAID, in the analysis of the information contained in its database, identifies safety matters considered to be of interest to other States, it shall forward such safety information to them as possible.

(g) In addition to safety recommendations arising from accident and incident investigations, safety recommendations may result from diverse sources, including safety studies. If safety recommendations are addressed to an organization in another State, they shall also be transmitted to that State's Investigation Authority.

(h) State authorities responsible for the implementation of the SSP should have access to the accident and incident database to support their safety responsibilities

Note –An accident and incident data base may be included in a safety database, which may refer to s single pr multiple database(s).

2201.97 Reserved

2201.99 Exchange of safety information.

Civil Aviation Regulatory Commission(CARC) shall promote the establishment of safety information sharing network among all users of the aviation system and should facilitate the free exchange of information on actual and potential safety deficiencies.

SUBPART – F

Reserved

SUBPART–G Authority for Investigation and Inspection

2201.113 Inspection Authority.

(a) Each person must give the AAID's investigators or the AAID's appointed assistant or advisor a free and uninterrupted access, at any time or place, to perform his duties.

(b) "Place" mentioned in paragraph (a) includes, but not limited to, aircraft, facilities, shops, records and recordings, manuals and personnel affairs.

(c) The duties mentioned in paragraph (a) contains, but not limited to:

(1) Special audits.

(2) Special inspections.

(3) Special checks.

(4) Special tests (including flight tests).

(5) Personnel interviews.

(6) Any other activities that the Investigator-in charge may deem necessary.

2201.115 Admission to flight deck

(a) The AAID investigators, who is performing official duties for Chief Commissioner/CEO, shall be given free and uninterrupted access and admission to the flight deck at any time and phase of flight.

(b) Paragraph (a) does not prevent the pilot in command to request the investigator to occupy a seat in the passenger compartment in case of emergency for the safety of the flight.

Appendix-A

Guidance for the Determination of Aircraft Damage

1. If an engine separates from an aircraft, the event is categorized as an accident even if damage is confined to the engine.

2. A loss of engine cowls (fan or core), or reverser components, which does not result in further damage to the aircraft is not considered an accident.

3. Occurrences where compressor or turbine blades, or other engine internal components are ejected through the engine tail pipe are not considered an accident.

4. A collapsed, or missing radome, is not considered an accident, unless there is related substantial damage in other structures or systems.

5. Missing flap, slat and other lift augmenting devices, winglets, etc, that are permitted for dispatch under the Configuration Deviation List (CDL) are not considered to be an accident.

6. Retraction of a landing gear leg, or wheels up landing, resulting in skin abrasion only. If the aircraft can be safely dispatched after minor repairs, or patching, and subsequently undergoes more extensive work to effect a permanent repair, then the occurrence would not be classified as an accident.

7. If the structural damage is such that the aircraft depressurizes, or cannot be pressurized, the occurrence is categorized as an accident.

8. The removal of components for inspection following an occurrence, such as the precautionary removal of an undercarriage leg following a low speed runway excursion, while involving considerable work, is not considered an accident unless significant damage is found.

9. Occurrences that involve an emergency evacuation are not counted as an accident unless someone receives serious injuries, or the aircraft has otherwise sustained significant damage.

<u>Note 1:</u> Regarding aircraft damage which adversely affects the structural strength, performance or flight characteristics, the aircraft may have landed safely, but cannot be safely dispatched on a further sector without repair.

<u>Note 2:</u> If the aircraft can be safely dispatched after minor repairs and subsequently undergoes more extensive work to effect a permanent repair, then the occurrence would not be classified as an accident. Likewise, if the aircraft can be dispatched under the CDL with the affected component removed, missing or

inoperative, the repair would not be considered as a major repair and consequently the occurrence would not be considered an accident.

<u>Note 3:</u> The cost of repairs, or estimated loss, such as provided by insurance companies may provide an indication of the damage sustained but should not be used as the sole guide as to whether the damage is sufficient to count the occurrence as an accident. Likewise, an aircraft may be considered a "hull loss" because it is uneconomic to repair, without it having incurred sufficient damage to be classified as an accident.

Type of Occurrence

Accident/incident	Collision/strike object Component/system failure malfunction Loss of control
	Engine power loss Damage to aircraft Airframe failure
	Fire/explosion/fumes Fuel/fluids occurrence Flight crew illness/incapacitation
	Injuries to persons Failure of emergency equip/procedures Evacuation
	Pax/cargo related occurrence Valid warning/alert system Invalid warning/alert system
	Emergency declaration Other (specify)
Airspace incident	Airspace ID – eg AA / TMA/C
/ in op doo more one	
	Near collision Loss of separation Unauthorised altitude penetration
	Unauthorised airspace incursion Breach of other clearance Pilot flight planning deficiency
	Clearance/instruction deficiency Flight information deficiency Other (specify)
	TCAS alert RA TA Intruder relative alt in feet Relative position o'clock
Facility malfunction	Facility ID Name Facility Type
	Failure/non availability Coverage/intensity deficiency Alignment/course deficiency
	Excessive bends/roughness False overhead/distance indication Identification deficiency
	Readability deficiency Interference Other (specify)
	interioriele inter
Aerodrome Occ.	Physical surface deficiency Surface marking deficiency Wildlife incursion Physical obstruction Equipment/installation deficiency Apron management deficiency
	Public protection deficiency Other (specify) and a deficiency Aport management deficiency
Dangerous goods	Spillage/leakage Fumes/gas/smoke/fire Mis/non-declaration
ů ů	Other (specify)
Bird hazard	Strike Near strike Species Strike Small Medium Large
	Number seen 1 2-10 11-100 100+ Number hit 1 2-10 11-100 100+
Aircraft Defect/	
Engineering Details	Major component/system affected
ATA Code	Part defective
Monufacturor	
Manufacturer	Model
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Occurrence Report – CARC/AAID

email to: investigation@carc.gov.jo

Complete shaded areas only where applicable. Post or fax to CARC/AAID as soon as possible. Fax to +962 6 487 5105. To report an accident or serious incident phone: +962 6 489 3576. Available office hours (voice mail after hours) or +962 79 670 2224, +962 77 924 1313, +672 77 7722346, available 24 hours seven days a week.

Date of occurrenc	же	Time	Local	UTC	Location	
Aircraft manufactu	urer and model			Aircra	ft registration JY -	
Operator					Client ID	
POB	Number of injuries - Fatal		Serious	Minor		
		Crew Pax	Crew	Pax	Crew Pax	
Operational Deta	oilo					
					D	
Flight No./Call sig		titude] AGL 🔄 AS		Runway used	-1
Departure point	De	stination point		Nearest reportin	g point (NRP)	
Distance and bea	ring from NRP	NM		° 🚺 VFR	IFR VMC	IMC
	scheduled OR	non-scheduled	domestic	OR inte	rnational ETOPS	
				_		
Nature of flight	Passenger A to A Agricultural		Passenger A t Other aerial w		Freight only Business/executiv	ve
	Training dual		Training solo		Test or ferry/posit	
	Private other Other (specify)		Parachuting		Air ambulance	
Flight phase	parked		taxiing		takeoff	
	climb circuit		hover aerobatics		cruise holding	
	descent		approach		landing	
	<u> </u>					
Effect on flight	Nil		Flight delayed/c		Aborted takeoff	
If weather is a significant factor	Failure to get airborne Go-around/missed app		Emerg/precautic Abnormal appro		Emerg/precaution /la	anding
include in	Turn-back		Engine(s) shutd		Sig loss of control/p	enform
description of	Avoiding action		Overweight land	ling	Abnormal landing	
occurrence	Runway excursion	l	Other (specify)			
					······	
Description of O	ccurrence					
Pilot in command'	's name			Licence Num		
Pilot flight hours ir	n last 90 days	Flight I	hours on type		Total flight hours	
Last checked	IFR VFR 6 n	nonth flight compete	ncy	By - name		
						1
Date checked			Check pilot's ID			

	OCC NO. FILE NO.				
CARC use only	Critical	Major	Minor		

Defect Report

If faxing this form send to +962 6 487 5105, otherwise email to investigation@carc.gov.jo						
Date found Time Local UTC	Location					
Aircraft manufacturer and model	A/C registration JY-					
Operator	Client ID					
Engineering details Major component/system affected						
ATA code Part defective						
Manufacturer	Model					
Part number	Serial number					
TSN Hours Cycles TSO Ho	burs TSI Hours Cycles					
Detection phase unscheduled OR scheduled mainten	ance Manufacturer advised Yes No					
Found when complying with AD SB Specify reference						
Maintenance provider	Client ID Phone					
Description of defect						

Continue on a separate sheet if necessary

Cause

Action taken

Submitter's details

Name		Client ID		Phone		Date	
Attachments	sketches	reports	photos Others	s (specify)			
Submitter's inves	stigation open	OR C	losed Submit	ter's referen	ce number		

Aircraft Accident Investigation Number: +962 6 4893576 Safety Directorate Number: +962 6 4887042

	OCC NO. FILE NO.				
CARC use only	Critical	Major	Minor		

Defect Report

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Aircraft Accident Investigation Number: +962 6 4893576 Safety Directorate Number: +962 6 4887042