

**CIVIL AVIATION DEPARTMENT
HONG KONG, CHINA**

Accident Investigation Bulletin

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Issue 1**

INVESTIGATION REPORTS AND SAFETY RECOMMENDATIONS

1 Introduction

- 1.1 When Accident Investigation Division (AID) of Civil Aviation Department (CAD) conducts an investigation to an aircraft accident/serious incident, AID will publish the progress and result of the investigation, including any safety recommendation, via the release of a Preliminary Report and a Final Report. These reports, along with any safety recommendation, will be sent to relevant persons, States and organisations. AID will also send an Accident/Incident Data Report (ADREP) to the International Civil Aviation Organisation (ICAO) in accordance with the ICAO notification guidelines.
- 1.2 When AID participates in an investigation to an aircraft accident/serious incident and receives from the State who conducts the investigation any safety recommendation on the civil aviation of Hong Kong, AID will respond to such safety recommendation accordingly.
- 1.3 The purpose of this Bulletin is to publish the respective AID policies and procedures.

2 Preliminary Report

2.1 When AID conducts an investigation to an aircraft accident, AID will send the Preliminary Report by facsimile, e-mail, or airmail within 30 days of the date of the accident unless the ADREP has been sent by that time. When matters directly affecting safety are involved, AID will send as soon as the information is available and by the most suitable and quickest means available.

a. Accidents to aircraft over 2 250 kg

When the aircraft involved in an accident is of a maximum mass of over 2 250 kg, AID 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 ICAO.
- b. Accidents to aircraft of 2 250 kg or less

When an aircraft not covered by paragraph 2.1a is involved in an accident and when airworthiness or matters considered to be of interest to other States are involved, AID will forward 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; and
- (v) any State that provided relevant information, significant facilities or experts.

3 Draft Final Report

3.1 Draft Final Report - Consultation

- a. When AID conducts an investigation to an aircraft accident/serious incident, AID will send a copy of the draft Final Report to the States that participated in the investigation, inviting their significant and substantiated comments on the report, if any, to be made within a 60 day period from the date of the transmittal letter. The draft Final Report of the investigation will be sent for comments to:
- (i) the State of Registry;
 - (ii) the State of the Operator;
 - (iii) the State of Design;
 - (iv) the State of Manufacture; and
 - (v) those States which provided relevant information, significant facilities, or experts who participated in the investigation
- b. When sending the draft Final Report to recipient States, AID will consider using the most suitable and quickest means available, such as facsimile, e-mail, courier service or express mail.
- c. If AID receives comments within 60 days of the date of the transmittal letter, AID will 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 AID receives no comments within 60 days of the date of the first transmittal letter, AID will issue the Final Report in accordance with paragraph 4, unless an extension of that period has been agreed by the States concerned.

Note 1: In accordance with Regulation 11 (3) of the CAP. 448B, any comment should be served on AID within 28 days after the service of the Notice per Regulation 11(1) of the CAP. 448B. AID also has power under Regulation 21 of the CAP. 448B to extend the said period. AID elects to extend the said period to 60 days such that it complies with the ICAO Annex 13 Standards.

Note 2: Comments to be appended to the Final Report are restricted to non-editorial-specific technical aspects of the Final Report upon which no agreement could be reached.

- d. AID will 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.
- e. AID will send, through the State of Design and the State of Manufacture, a copy of the draft Final Report to the organisations responsible for the type design and the final assembly of the aircraft to enable them to submit comments on the draft Final Report.

3.2 Release of information — Consent

Upon receipt of the draft final report, no one shall circulate, publish or give access to a draft report or any part thereof, or any documents obtained during an investigation of an accident or serious incident, without the express consent of AID, unless such reports or documents have already been published or released by AID.

4 Final Report

4.1 The Final Report of the investigation of an accident/serious incident conducted by AID will be sent as appropriate to the followings with a minimum of delay:

- (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 having suffered fatalities or serious injuries to its citizens;
- (vii) any State that provided relevant information, significant facilities or experts;
- (viii) the ICAO (for an accident, or a serious incident if the aircraft has a maximum mass of over 5700kg);
- (ix) Aircraft/Engine Manufacturer;
- (x) Civil Aviation Administration of China; and
- (xi) Other agencies that have provided technical support to the investigation.

4.2 In the interest of accident prevention, AID will release the Final Report as soon as possible, and, preferably within 12 months of the date of the occurrence. If the report cannot be released within 12 months, AID will release an interim report on each anniversary of the occurrence, detailing the progress of the investigation and any safety issues raised.

5 Safety recommendations

5.1 Safety Recommendation raised by AID

At any stage of the investigation of an accident or serious incident, AID will recommend to the appropriate authorities, including those in other States, any preventive action that AID considers necessary to be taken promptly to enhance aviation safety.

AID will address, when appropriate, any safety recommendations arising out of its investigations to the accident investigation authorities of other States concerned and, when ICAO documents are involved, to the ICAO.

Note: When Final Reports contain safety recommendations addressed to the ICAO, because ICAO documents are involved, these reports will be accompanied by a letter outlining the specific action proposed.

5.2 Safety Recommendation received by AID

When AID receives safety recommendations proposed by other authority conducting the investigation, AID will inform the proposing authority of the preventive action taken or under consideration, or the reasons why no action will be taken.

6 Accident/Incident Data Report (ADREP)

6.1 Accidents to aircraft over 2 250 kg

When the aircraft involved in an accident is of a maximum mass of over 2250 kg, AID will send, as soon as practicable after the investigation, the ADREP

to the ICAO. When requested, AID will also provide other States with pertinent information additional to that made available in the ADREP.

6.2 Serious incidents to aircraft over 5 700 kg

When AID conducts an investigation into a serious incident to an aircraft of a maximum mass of over 5700 kg, AID will send, as soon as is practicable after the investigation, the ADREP to the ICAO.

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