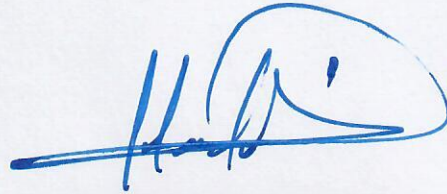


Part 13

Aircraft Accident and Incident Investigation

This part of Jordanian Civil Aviation Regulations is hereby issued under the authority and provisions of article 12-B of the Civil Aviation Law No. (41) dated 2007, as amended.



Capt. Haitham Misto
Chief Commissioner/CEO
Civil Aviation Regulatory Commission

Record of Revisions

Amendment No.	Effective date	Chapter	Paragraph
First Issue	Nov. 10 th , 2024	-	-



Contents

Chapter 1. Definitions	4
Chapter 2. Applicability	8
Chapter 3. General	9
Objective of The Investigation	9
Independence of Investigations	9
Protection of Evidence, Custody and Removal of Aircraft	9
Responsibility of Jordan as the State of Occurrence	9
Chapter 4. Notification	11
Accidents or Incidents in the Territory of a Contracting State to Aircraft of Another Contracting State	11
Responsibility of Jordan as the State of Occurrence	11
Responsibility of the State of Registry, the State of the Operator, the State of Design and the State of Manufacture	13
Accidents or Incidents in the Territory of the State of Registry, in a Non-Contracting State or Outside the Territory of any State	13
Responsibility of Joran as the State of Registry	13
Responsibility of the State of the Operator, the State of Design and the State of Manufacture	14
Chapter 5. Investigation	15
Responsibility for Instituting and Conducting the Investigation	15
Accidents or Incidents in the Territory of a Contracting State	15
Accidents or Incidents in the Territory of a Non-Contracting State	16
Accidents or Incidents Outside the Territory of any State	16
Organization and Conduct of the Investigation	17
Responsibility of Jordan as the State Conducting the Investigation	17
Responsibility of Jordan being any Other State	23
Responsibility of the State of Registry and the State of the Operator	23
Participation in the Investigation	23
Participation of the State of Registry, the State of the Operator, the State of Design and the State of Manufacture	24
Participation of Other States	25
Entitlement of Accredited Representatives	25
States having Suffered Fatalities or Serious Injuries to their Citizens	26
Chapter 6. Final Report	28
Responsibility of Jordan	28
Release of information — Consent	28
Responsibility of Jordan as the State Conducting the Investigation	28
Responsibility of Jordan as the State Receiving or Issuing Safety Recommendations	31
Chapter 7. ADREP Reporting	32
Preliminary Report	32
Responsibility of Jordan as the State Conducting the Investigation	32
Accident/Incident Data Report	33
Responsibility of Jordan as the State Conducting the Investigation	33
Chapter 8. Accident Prevention Measures	34
Appendix 1. Format of the Final Report	35
Appendix 2. Protection of Accident and Incident Investigation Records	39

Chapter 1. Definitions

When the following terms are used in this regulations “Aircraft Accident and Incident Investigation”, they have the following meanings:

AAID: Aircraft Accident Investigation Directorate.

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 as 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:

- being in the aircraft, or
- direct contact with any part of the aircraft, including parts which have become detached from the aircraft, or
- direct exposure to jet blast.

Except when the injuries are from natural causes, self-inflicted or inflicted by other persons, or when the injuries are to stowaways hiding outside the areas normally available to the passengers and crew; or

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

- adversely affects the structural strength, performance or flight characteristics of the aircraft, and
- 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), 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.

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

Note 3. The type of unmanned aircraft system to be investigated is addressed in 13.2.3.

Note 4. Guidance for the determination of aircraft damage can be found in “Guidance Material to Part-13” No. 31 GM-01.

Accident investigation authority: The authority designated by a State as responsible for aircraft accident and incident investigations within the context of this Part.

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. The accredited representative would normally be from the State's accident investigation authority.

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.

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.

Contributing factors: Actions, omissions, events, conditions, or a combination thereof, which, if eliminated, avoided or absent, 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.

C2 Link ⁽¹⁾: The data link between the remotely piloted aircraft and the remote pilot station for the purposes of managing the flight.

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

Automatic deployable flight recorder (**ADFR**): A combination flight recorder installed on the aircraft which is capable of automatically deploying from the aircraft.

Note. Refer to Part OPS1 and Part OPS3 for specifications relating to flight recorders.

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 the International Civil Aviation Organization for accident prevention studies are listed in "Guidance Material to Part-13" No. 31 GM-01.

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: A person charged, on the basis of his or her qualifications, with the responsibility for the organization, conduct and control of an investigation.

Note. Nothing in the above definition is intended to preclude the functions of an investigator-in-charge being assigned to a commission or other body.

(1): Applicable as of 26 November 2026

Maximum mass: Maximum certificated take-off mass.

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

Note. In the context of remotely piloted aircraft, an aircraft operation refers to the operation of an RPAS.

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

Remote pilot station (RPS) ⁽¹⁾: The component of the remotely piloted aircraft system containing the equipment used to pilot the remotely piloted aircraft

Remotely piloted aircraft (RPA) ⁽¹⁾: An unmanned aircraft which is piloted from a remote pilot station.

Remotely piloted aircraft system (RPAS) ⁽¹⁾: A remotely piloted aircraft, its associated remote pilot station(s), the required C2 Link(s) and any other components as specified in the type design.

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 recommendations arising from accident and incident investigations, safety recommendations may result from diverse sources, including safety studies.

Safety recommendation of global concern (SRGC): A safety recommendation regarding a systemic deficiency having a probability of recurrence, with significant consequences at a global level, and requiring timely action to improve safety.

Note. The Investigation Handbook, Part IV — Reporting contains the criteria for a recommendation to be classified as an SRGC.

Serious incident: An incident involving circumstances indicating that there was a high probability of an accident and 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 as it comes to rest at the end of the flight and the primary propulsion system is shut down.

Note 1. The difference between an accident and a serious incident lies only in the result.

Note 2. Examples of serious incidents can be found in “Guidance Material to Part-13” No. 31 GM-01.

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; or
(b) Results in a fracture of any bone (except simple fractures of fingers, toes or nose);

(1): Applicable as of 26 November 2026

or

(c) Involves lacerations which cause severe haemorrhage, nerve, muscle or tendon damage; or

(d) Involves injury to any internal organ; or

(e) Involves second or third degree burns, or any burns affecting more than 5 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 ⁽¹⁾: The State having jurisdiction over the organization responsible for the final assembly of the aircraft, engine or propeller.

State of Manufacture ⁽²⁾: The State having jurisdiction over the organization responsible for the final assembly of the aircraft, remote pilot station, engine or propeller.

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.

Note. In the case of the registration of aircraft of an international operating agency on other than a national basis, the States constituting the agency are jointly and severally bound to assume the obligations which, under the Chicago Convention, attach to a State of Registry. See, in this regard, the Council Resolution of 14 December 1967 on Nationality and Registration of Aircraft Operated by International Operating Agencies which can be found in Policy and Guidance Material on the Economic Regulation of International Air Transport (Doc 9587)

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

Substantial Damage: means damage or failure, which adversely affects the structural strength, performance, or flight characteristics of the aircraft, and which would normally require major repair or replacement of the affected component. For the purposes of this Section, the following conditions are not considered "substantial damage":

- (1) for multi-engine aircraft: engine failure or damage limited to an engine if only one engine fails or is damaged,
- (2) bent fairings or cowling, dented skin, small punctured holes in the skin or fabric,
- (3) ground damage to rotor or propeller blades, and
- (4) damage to landing gear, wheels, tires, flaps, engine accessories, brakes, or wing tips.

(1): Applicable until 25 November 2026

(2): Applicable as of 26 November 2026

Chapter 2. Applicability

13.2.1 Unless otherwise stated, the specifications in this Part apply to activities following accidents and incidents wherever they occurred.

Note. The application of this specification with respect to accidents or serious incidents occurring in the territory of a non-Contracting State, in an area of undetermined sovereignty or on the high seas is addressed in 13.5.2 and 13.5.3.

13.2.2 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, in respect of this Part, in part or in whole, the functions and obligations of the State of Registry.

13.2.3 Unless otherwise stated, the specifications in this Part apply to activities following accidents and incidents involving:

- (a) manned aircraft; or
- (b) as of 26 November 2026, remotely piloted aircraft (RPA) certificated in accordance with Part 21 and/or operated under a certified operator in accordance with JCARs — Remotely Piloted Aircraft Systems.

Note. The Standards in this Part are not intended to preclude AAID from instituting an investigation in other circumstances where it expects to draw safety lessons for the operation of manned and unmanned aircraft (remotely piloted aircraft are a subset of unmanned aircraft).

Chapter 3. General

Note. Guidance material relating to the rights and obligations of the State of the Operator in respect of accidents and incidents involving leased, chartered or interchanged aircraft is provided in “Guidance Material to Part-13” No. 31 GM-01.

Objective of The Investigation

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

Independence of Investigations

13.3.2 To achieve the AAID’s Independency the following shall be taken into consideration:

- (a) Steps shall be taken 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.

- (d) Coordination is needed 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.

Protection of Evidence, Custody and Removal of Aircraft Responsibility of Jordan as the State of Occurrence

General

13.3.3 Jordan as the State of Occurrence shall take all reasonable measures to protect the evidence and to maintain safe custody of the aircraft and its contents for such a period as may be necessary for the purposes of an investigation. Protection of evidence shall include the preservation, by photographic or other means, of any evidence which

might be removed, effaced, lost or destroyed. Safe custody shall include protection against further damage, access by unauthorized persons, pilfering and deterioration.

Note 1. Control over the wreckage is dealt with in 13.5.6.

Note 2. Protection of flight recorder evidence requires that the recovery and handling of the recorder and its recordings be assigned only to qualified personnel.

Request from State of Registry, State of the Operator, State of Design or State of Manufacture

13.3.4 If a request is received from the State of Registry, the State of the Operator, the State of Design or the State of Manufacture that the aircraft, its contents, and any other evidence remain undisturbed pending inspection by an accredited representative of the requesting State, Jordan as the State of Occurrence shall take all necessary steps to comply with such request, so far as this is reasonably practicable and compatible with the proper conduct of the investigation; provided that the aircraft may be moved to the extent necessary to extricate persons, animals, mail and valuables, to prevent destruction by fire or other causes, or to eliminate any danger or obstruction to air navigation, to other transport or to the public, and provided that it does not result in undue delay in returning the aircraft to service where this is practicable.

Release from custody

13.3.5 Subject to the provisions of 13.3.3 and 13.3.4, Jordan as the State of Occurrence shall release custody of the aircraft, its contents or any parts thereof as soon as they are no longer required in the investigation, to any person or persons duly designated by the State of Registry or the State of the Operator, as applicable. For this purpose, Jordan as the State of Occurrence shall facilitate access to the aircraft, its contents or any parts thereof, provided that, if the aircraft, its contents, or any parts thereof lie in an area within which Jordan finds it impracticable to grant such access, it shall itself effect removal to a point where access can be given.

Chapter 4. Notification

Note 1. “Guidance Material to Part-13” No. 31 GM-01 provides a notification and reporting checklist.

Note 2. A list of addresses of aircraft accident investigation authorities can be found in the Manual of Aircraft Accident and Incident Investigation (Doc 9756), Part I — Organization and Planning and on the ICAO Accident Investigation website.

Accidents or Incidents in the Territory of a Contracting State to Aircraft of Another Contracting State

Responsibility of Jordan as the State of Occurrence

Forwarding

13.4.1 Jordan as the State of Occurrence shall forward a notification of an accident, a serious incident, or an incident to be investigated within the context of this Part, with a minimum of delay and by the most suitable and quickest means available, to:

- (a) The State of Registry;
- (b) The State of the Operator;
- (c) The State of Design;
- (d) The State of Manufacture; and
- (e) The International Civil Aviation Organization, when the aircraft involved is of a maximum mass of over 2250 kg or is a turbojet-powered aeroplane

However, when Jordan as the State of Occurrence is not aware of a serious incident, or an incident to be investigated, the State of Registry or the State of the Operator, as appropriate, shall forward a notification of such an incident to the State of Design, the State of Manufacture and Jordan as the State of Occurrence.

Note 1. Telephone, facsimile, e-mail or the Aeronautical Fixed Telecommunication Network (AFTN) will in most cases constitute “the most suitable and quickest means available”. More than one means of communication may be appropriate.

Note 2. Provision for the notification of a distress phase to the State of Registry by the rescue coordination centre is contained in ANS Search and Rescue Manual.

Format and content

13.4.2 The notification shall be in plain language and contain as much of the following information as is readily available, but its dispatch shall not be delayed due to the lack of complete information:

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

- (b) Manufacturer, model, nationality and registration marks, and serial number of the aircraft;
- (c) Name of owner, operator and hirer, if any, of the aircraft;
- (d) Qualification of the pilot-in-command, and nationality of crew and passengers;
- (e) Date and time (local time or UTC) of the accident or 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; aboard, killed and seriously injured; others, killed and seriously injured;
- (i) Description of the accident or 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 is proposed to be delegated by Jordan as the State of Occurrence;
- (k) Physical characteristics of the accident or incident area, as well as an indication of access difficulties or special requirements to reach the site;
- (l) Identification of the originating authority and means to contact the investigator-in-charge and the AAID of Jordan as the State of Occurrence at any time; and
- (m) Presence and description of dangerous goods on board the aircraft.

Note 1. The 4-letter designator “YLYX” in association with an ICAO 4-letter location indicator forms the 8-letter addressee indicator for messages sent over the AFTN to authorities responsible for aircraft accident and incident investigations. For messages sent over the public telecommunication service the addressee indicator cannot be used and a postal or telegraphic address must be substituted. The 8-letter addressee indicators and the corresponding postal and telecommunications addresses, when notified to ICAO, are published in the Designators for Aircraft Operating Agencies, Aeronautical Authorities and Services (Doc 8585).

Note 2. The Investigation Handbook, Part I — Organization and Planning contains guidance material concerning the preparation of notification messages and the arrangements to be made for their prompt delivery to the addressee.

Language

13.4.3 The notification shall be prepared in English Language, whenever it is possible to do so without causing undue delay.

Additional information

13.4.4 As soon as it is possible to do so, Jordan as the State of Occurrence shall dispatch the details omitted from the notification as well as other known relevant information.

Responsibility of the State of Registry, the State of the Operator, the State of Design and the State of Manufacture

Information — Participation

13.4.5 The State of Registry, the State of the Operator, the State of Design and the State of Manufacture should acknowledge receipt of the notification of an accident or incident (13.4.1 refers).

13.4.6 Upon receipt of the notification, the State of Registry, the State of the Operator, the State of Design and the State of Manufacture shall, as soon as possible, provide Jordan as State of Occurrence with any relevant information available to them regarding the aircraft and flight crew involved in the accident or incident. Each State shall also inform Jordan as the State of Occurrence whether it intends to appoint an accredited representative and if such an accredited representative is appointed, the name and contact details; as well as the expected date of arrival if the accredited representative will travel to Jordan as the State of Occurrence.

Note 1. In accordance with 13.5.18, the State of Registry, the State of the Operator, the State of Design and the State of Manufacture have the right to appoint an accredited representative to participate in the investigation.

Note 2. In accordance with 13.5.22, the attention of the State of Registry, the State of the Operator, the State of Design and the State of Manufacture is drawn to their obligation to appoint an accredited representative when specifically requested to do so by Jordan as the State conducting the investigation of an accident to an aircraft over 2250 kg. Their attention is also drawn to the usefulness of their presence and participation in the investigation.

13.4.7 Upon receipt of the notification, the State of the Operator shall, with a minimum of delay and by the most suitable and quickest means available, provide Jordan as State of Occurrence with details of dangerous goods on board the aircraft.

Accidents or Incidents in the Territory of the State of Registry, in a Non-Contracting State or Outside the Territory of any State

Responsibility of Joran as the State of Registry

Forwarding

13.4.8 When Jordan as the State of Registry institutes the investigation of an accident or incident, Jordan shall forward a notification, in accordance with 13.4.2 and 13.4.3 above, with a minimum of delay and by the most suitable and quickest means available, to:

- (a) The State of the Operator;
- (b) The State of Design;
- (c) The State of Manufacture; and

(d) The International Civil Aviation Organization, when the aircraft involved is of a maximum mass of over 2250 kg or is a turbojet-powered aeroplane.

Note 1. Telephone, facsimile, e-mail or the Aeronautical Fixed Telecommunication Network (AFTN) will in most cases constitute “the most suitable and quickest means available”. More than one means of communication may be appropriate.

Note 2. Provision for the notification of a distress phase to the State of Registry by the rescue coordination centre is contained in ANS Manual Search and Rescue.

Responsibility of the State of the Operator, the State of Design and the State of Manufacture

Information — Participation

13.4.9 The State of the Operator, the State of Design and the State of Manufacture should acknowledge receipt of the notification of an accident or incident (13.4.1 refers).

13.4.10 Upon receipt of the notification, the State of the Operator, the State of Design and the State of Manufacture shall, upon request, provide Jordan as the State of Registry with any relevant information available to them regarding the flight crew and the aircraft involved in the accident or incident. Each State shall also inform Jordan as the State of Registry whether it intends to appoint an accredited representative, and if such an accredited representative is appointed, the name and contact details; as well as the expected date of arrival if the accredited representative will be present at the investigation.

Note 1. In accordance with 13.5.18, the State of the Operator, the State of Design and the State of Manufacture have the right to appoint an accredited representative to participate in the investigation.

Note 2. In accordance with 13.5.22, the attention of the State of the Operator, the State of Design and the State of Manufacture is drawn to their obligation to appoint an accredited representative when specifically requested to do so by Jordan as the State conducting the investigation of an accident to an aircraft over 2250 kg. Their attention is also drawn to the usefulness of their presence and participation in the investigation.

13.4.11 Upon receipt of the notification, the State of the Operator shall, with a minimum of delay and by the most suitable and quickest means available, provide Jordan as the State of Registry with details of dangerous goods on board the aircraft.

Chapter 5. Investigation

Responsibility for Instituting and Conducting the Investigation Accidents or Incidents in the Territory of a Contracting State

Jordan as the State of Occurrence

13.5.1 Jordan as the State of occurrence shall institute an investigation into the circumstances of the accident and be responsible for the conduct of the investigation, but it may delegate the whole or any part of the conducting of such investigation to another State or a regional accident and incident investigation organization (RAIO) by mutual arrangement and consent. In any event, Jordan as the State of Occurrence shall use every means to facilitate the investigation.

13.5.1.1 Jordan as the state of occurrence shall institute an investigation into the circumstances of a serious incident. And may delegate the whole or any part of the conducting of such investigation to another State or a regional accident and incident investigation organization by mutual arrangement and consent. In any event Jordan as the State of occurrence should use every means to facilitate the investigation.

13.5.1.2 Jordan as the state of occurrence shall institute an investigation into the circumstances of a serious incident when the aircraft is of a maximum mass of over 2250 kg and may delegate the whole or any part of the conducting of such investigation to another State or a regional accident and incident investigation organization by mutual arrangement and consent. In any event Jordan as the state of occurrence shall use every means to facilitate the investigation.

13.5.1.3 If Jordan as the state of occurrence does not institute and conduct an investigation, and does not delegate the investigation to another State or a regional accident and incident investigation organization, as set out in 13.5.1 and 13.5.1.2, the State of Registry or, in the following order, the State of the Operator, the State of Design or the State of Manufacture is entitled to request in writing Jordan as the State of Occurrence to delegate the conducting of such investigation. If Jordan as the State of Occurrence gives express consent or does not reply to such a request within 30 days, the State making the request should institute and conduct the investigation with such information as is available.

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

Note 2. When the whole investigation is delegated to another State or a regional accident and incident 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, Jordan as the State of Occurrence usually retains the responsibility for the conduct of the investigation.

Note 3. In the case of investigation of an unmanned aircraft system, the requirement in accordance with Chapter 2 is only for remotely piloted aircraft certificated in accordance with Part 21 and / or operated under a certified operator in accordance with JCARs — Remotely Piloted Aircraft Systems.

Note 4. In the case of serious incidents, Jordan as 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.

Note 5. The delegation of an investigation does not absolve Jordan as the State of Occurrence from its obligation under ICAO Annex 13.

Note 6. Paragraph 13.5.1.3 does not necessarily give the State making the request the right to access the accident site, wreckage or any other evidence or information situated within the territory of Jordan as the State of Occurrence.

Accidents or Incidents in the Territory of a Non-Contracting State

Jordan as the State of Registry

13.5.2 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 ICAO Annex 13 , Jordan as 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, shall Jordan itself conduct an investigation with such information as is available.

Accidents or Incidents Outside the Territory of any State

Jordan as the State of Registry

13.5.3 When the location of the accident or the serious incident cannot definitely be established as being in the territory of any State, Jordan as the state of registry shall institute and conduct any necessary investigation of the accident or serious incident. However, it may delegate the whole or any part of the investigation to another State or a regional accident and incident investigation organization by mutual arrangement and consent.

13.5.3.1 States nearest the scene of an accident in international waters shall provide such assistance as they are able and shall, likewise, respond to requests by Jordan as the state of registry.

13.5.3.2 If Jordan as the State of Registry does not institute and conduct an investigation, and does not delegate the investigation to another State or a regional accident and incident investigation organization, as set out in 13.5.3, the State of the

Operator or, in the following order, the State of Design or the State of Manufacture is entitled to request in writing Jordan to delegate the conducting of such investigation. If Jordan gives express consent or does not reply to such a request within 30 days, the State making the request shall institute and conduct the investigation with such information as is available.

Note. Paragraph 13.5.3.2 does not absolve Jordan as the State of Registry from its obligation under ICAO Annex 13.

13.5.3.3 Reserved.

Organization and Conduct of the Investigation

Note. The Investigation Handbook contains guidance material for the organization, conduct and control of an investigation.

Responsibility of Jordan as the State Conducting the Investigation

Note. Nothing in the following provisions is intended to preclude Jordan as the State conducting the investigation from calling upon the best technical expertise from any source.

General

13.5.4 AAID has independency in conducting the investigation and has unrestricted authority over its conduct, consistent with the provisions of this Part. The investigation shall normally include:

- (a) The gathering, recording and analysis of all relevant information on that accident or incident;
- (b) The protection of certain accident and incident investigation records in accordance with 13.5.12;
- (c) Timely, public dissemination of factual information, as appropriate;
- (d) If appropriate, the issuance of safety recommendations;
- (e) If possible, the determination of the causes and/or contributing factors; and
- (f) 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.

13.5.4.1 Any investigation conducted in accordance with the provisions of this Part shall be separate from any judicial or administrative proceedings to apportion blame or liability.

Note. Separation can be achieved by the investigation being conducted by AAID experts, and any judicial or administrative proceedings being conducted by other appropriate experts. Coordination, as per 13.5.10, between the two processes would likely be required at the accident site and in the gathering of factual information, with due consideration to the provisions in 13.5.12.

13.5.4.2 AAID develops documented policies and procedures detailing its accident investigation duties; including organization and planning; investigation; and reporting.

13.5.4.3 Any investigations conducted under the provisions of this Part shall have unrestricted access to all available evidential material without delay.

13.5.4.4 AAID shall ensure cooperation with the judicial authorities so that an investigation is not impeded by administrative or judicial investigations or proceedings.

13.5.4.5 For accidents or incidents that draw heightened public attention, the AAID should publicly release relevant factual information within the early days of the investigation.

Note. The provision of factual information in the early days of the investigation is intended to address the substantial public interest in the accident or incident and to help ensure that the information in the public domain is as accurate as possible. Guidance on accidents and incidents, that draw heightened public attention, and various formats and methods for the provision of information is contained in the IHB, Part II — Procedures and Checklists.

13.5.4.6 For accidents or incidents that draw heightened public attention, the AAID should publish a written Preliminary Report within thirty days of the accident or incident containing established factual information and indicating the progress of the investigation.

Note 1. Guidance on the purpose, format, and content of the written Preliminary Report is contained in the IHB, Part IV — Reporting.

Note 2. 13.5.4.6 does not intend to preclude the State conducting the investigation from consulting States participating in the investigation before publishing the written Preliminary Report.

Note 3. A list of examples of accidents and incidents that draw heightened public attention is contained in the IHB, Part IV — Reporting.

Note. Cooperation may be achieved by legislation, protocols, agreements or other arrangements, and may cover the following subjects: access to the site of the accident;

preservation of and access to evidence; initial and ongoing debriefings of the status of each process; exchange of information; appropriate use of safety information; and resolution of conflicts.

Investigator-in-charge — Designation

13.5.5 Jordan as the State conducting the investigation shall designate the investigator-in-charge of the investigation and shall initiate the investigation immediately.

Investigator-in-charge — Access and control

13.5.6 The investigator-in-charge shall have unhampered access to the wreckage and all relevant material, including flight recorders and ATS records, and shall have unrestricted control over it to ensure that a detailed examination can be made without delay by authorized personnel participating in the investigation.

Note. In the case of a remotely piloted aircraft system, relevant material in 13.5.6 includes the remotely piloted aircraft, its associated remote pilot station(s), the required C2 Link(s), any other components as specified in the type design, and any associated recordings and documents.

Recorded data — Accidents and incidents

Flight recorder

13.5.7 Effective use shall be made of flight recorders in the investigation of an accident or an incident. AAID shall arrange for the read-out of the flight recorders without delay.

13.5.7.1 In the event that Jordan as the State conducting the investigation of an accident or an incident does not have adequate facilities to read out the flight recorders, it should use the facilities made available to it by other States, giving consideration to the following:

- (1) The capabilities of the read-out facility;
- (2) The timeliness of the read-out; and
- (3) The location of the read-out facility.

Note. The requirements for the recording of flight data are contained in Part OPS1 and Part OPS3.

Ground-based recordings

13.5.8 Effective use shall be made of available ground-based recordings in the investigation of an accident or an incident.

Note. The requirements for the recording of surveillance data and ATS communications are contained in Part 171 and Part 172.

Autopsy examinations

13.5.9 Jordan as the State conducting the investigation into a fatal accident shall arrange for complete autopsy examination of fatally injured flight crew and, subject to the particular circumstances, of fatally injured passengers and cabin attendants, by a pathologist, preferably experienced in accident investigation. These examinations shall be expeditious and complete.

Note. Guidance material related to autopsies is provided in detail in the Manual of Civil Aviation Medicine (Doc 8984) and the IHB containing detailed guidance on toxicological testing.

Medical examinations

13.5.9.1 When appropriate, AAID shall arrange for medical examination of the crew, passengers and involved aviation personnel, by a physician, preferably experienced in accident investigation. These examinations should be expeditious.

Note 1. Such examinations may also determine whether the level of physical and psychological fitness of flight crew and other personnel directly involved in the occurrence is sufficient for them to contribute to the investigation.

Note 2. The Manual of Civil Aviation Medicine (Doc 8984) contains guidance on medical examinations.

Coordination — Judicial authorities

13.5.10 Jordan as the State conducting the investigation shall recognize the need for coordination between the investigator-in charge and the 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 read-outs of flight recorder recordings.

Note 1. The responsibility of AAID for such coordination is set out in 13.5.4.

Note 2. Possible conflicts between investigating and judicial authorities regarding the custody of flight recorders and their recordings may be resolved by an official of the judicial authority carrying the recordings to the place of read-out, thus maintaining custody.

Note 3. Possible conflicts between investigating and judicial authorities regarding the custody of the wreckage may be resolved by an official of the judicial authority accompanying the wreckage to the place of examination and being present at such examination when a modification of the condition of the wreckage is required, thus maintaining custody.

Informing Aviation Security and Facilitation Directorate

13.5.11 If, in the course of an investigation it becomes known, or it is suspected, that an act of unlawful interference was involved, the investigator-in-charge shall immediately initiate action to ensure that the Aviation Security and Facilitation Directorate in CARC is so informed.

Protection of accident and incident investigation records

13.5.12 AAID shall not make the following records available for purposes other than accident or incident investigation, unless the competent authority designated by that State determines, in accordance with national laws and subject to Appendix 2 and 13.5.12.5, that their disclosure or use outweighs the likely adverse domestic and international impact such action may have on that or any future investigations:

- (a) Cockpit voice recordings and airborne image recordings and any transcripts from such recordings; and
- (b) Records in the custody or control of the AAID being:
 - (1) All statements taken from persons by the AAID 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) Recordings and transcripts of recordings from air traffic control units;
 - (5) Analysis of and opinions about information, including flight recorder information, made by the AAID and accredited representatives in relation to the accident or incident; and
 - (6) The draft Final Report of an accident or incident investigation.

13.5.12.1 Jordan shall determine whether any other records obtained or generated by the AAID, as a part of an accident or incident investigation, need to be protected in the same way as the records listed in 13.5.12.

13.5.12.2 The records listed in 13.5.12 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.

Note. The records listed in 13.5.12 include information relating to an accident or incident. The disclosure or use of such information for purposes where the disclosure or use is not necessary in the interest of safety may mean that, in the future, the information will no longer be openly disclosed to investigators. Lack of access to such information would impede the investigation process and seriously affect aviation safety.

13.5.12.3 The names of the persons involved in the accident or incident shall not be disclosed to the public by AAID.

13.5.12.4 Jordan shall ensure that requests for records in the custody or control of the AAID are directed to the original source of the information, where available.

13.5.12.4.1 The AAID shall retain, where possible, only copies of records obtained in the course of an investigation.

13.5.12.5 The AAID shall take measures to ensure that audio content of cockpit voice recordings as well as image and audio content of airborne image recordings are not disclosed to the public.

13.5.12.6 Jordan as the State issuing or receiving a draft Final Report shall take measures to ensure that it is not disclosed to the public.

Note. Appendix 2 contains additional provisions on the protection of accident and incident investigation records. These provisions appear separately for convenience.

Reopening of investigation

13.5.13 if, after the investigation has been closed, new and significant evidence becomes available, the State which conducted the investigation shall reopen 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.

Note. Where an aircraft which was considered missing following an official search is subsequently located, consideration may be given to reopening the investigation.

Responsibility of Jordan being any Other State

Information — Accidents and incidents

13.5.14 Jordan shall, on request from the State conducting the investigation of an accident or an incident, provide that State with all the relevant information available to it.

Note. See also 13.5.16.

13.5.14.1 Jordan shall cooperate to determine the limitations on disclosure or use that will apply to information before it is exchanged between them for the purposes of an accident or incident investigation.

13.5.14.2 If a State has any data available from a flight recorder of an aircraft involved in an accident or incident, that State shall:

- (a) without delay, provide the State conducting the investigation with all such data the State has available; and
- (b) not divulge such data without the express consent of the State conducting the investigation

13.5.15 Jordan, the facilities or services of which have been, or would normally have been, used by an aircraft prior to an accident or an incident, and which has information pertinent to the investigation, shall provide such information to the State conducting the investigation.

Responsibility of the State of Registry and the State of the Operator

Flight recorders — Accidents and serious incidents

13.5.16 When an aircraft involved in an accident or a serious incident lands in a State other than the State of Occurrence, the State of Registry or the State of the Operator shall, on request from the State conducting the investigation, furnish the latter State with the flight recorder records and, if necessary, the associated flight recorders.

Note. In implementing 13.5.16, the State of Registry or the State of the Operator may request the cooperation of any other State in the retrieval of the flight recorder records.

Organizational information

13.5.17 The State of Registry and the State of the Operator, on request from the State conducting the investigation, shall provide pertinent information on any organization whose activities may have directly or indirectly influenced the operation of the aircraft.

Participation in the Investigation

Note. Nothing in this Part is intended to imply that the accredited representative and advisers of a State have to be always present in the State in which the investigation is conducted.

Participation of the State of Registry, the State of the Operator, the State of Design and the State of Manufacture

Rights

13.5.18 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.

Note. Nothing in this article is intended to preclude the State that designed or manufactured the power plant or major components of the aircraft from requesting participation in the investigation of an accident.

13.5.19 The State of Registry or the State of the Operator shall appoint one or more advisers, proposed by the operator, to assist its accredited representative.

13.5.19.1 When neither the State of Registry nor the State of the Operator appoint an accredited representative, the State conducting the investigation shall invite the operator to participate, subject to the procedures of the State conducting the investigation.

13.5.20 The State of Design and the State of Manufacture shall be entitled to appoint one or more advisers, proposed by the organizations responsible for the type design and the final assembly of the aircraft, to assist their accredited representatives.

13.5.21 When neither the State of Design nor the State of Manufacture appoint an accredited representative, the State conducting the investigation shall invite the organizations responsible for the type design and the final assembly of the aircraft to participate, subject to the procedures of the State conducting the investigation.

Obligations

13.5.22 When the State conducting an investigation of an accident to an aircraft of a maximum mass of over 2250 kg specifically requests participation by the State of Registry, the State of the Operator, the State of Design or the State of Manufacture, the State(s) concerned shall each appoint an accredited representative.

Note 1. Nothing in 13.5.22 is intended to preclude the State conducting an investigation from requesting the State that designed or manufactured the power plant or major components of the aircraft to appoint an accredited representative whenever the former State believes that a useful contribution can be made to the investigation or when such participation might result in increased safety.

Note 2. Nothing in 13.5.22 is intended to preclude the State conducting an investigation from requesting the State of Design and the State of Manufacture to give assistance in the investigation of accidents other than those in 13.5.22.

Participation of Other States

Rights

13.5.23 Any State which on request provides information, facilities or experts to the State conducting the investigation shall be entitled to appoint an accredited representative to participate in the investigation.

Note. Any State that provides an operational base for field investigations, or is involved in search and rescue or wreckage recovery operations, or is involved as a State of a code-share or alliance partner of the operator, may also be invited to appoint an accredited representative to participate in the investigation.

Entitlement of Accredited Representatives

Advisers

13.5.24 A State entitled to appoint an accredited representative shall also be entitled to appoint one or more advisers to assist the accredited representative in the investigation.

Note 1. Nothing in the above provisions is intended to preclude a State participating in an investigation from calling upon the best technical experts from any source and appointing such experts as advisers to its accredited representative.

Note 2. Facilitation of the entry of the accredited representatives, their advisers and equipment is covered in Annex 9 — Facilitation. The carriage of an official or service passport may expedite the entry. Entry of investigation personnel and equipment may be expedited by the establishment of prior agreements between the Accident Investigation Authority and immigration and customs authorities within the State.

13.5.24.1 Advisers assisting accredited representatives shall be permitted, under the accredited representatives' supervision, to participate in the investigation to the extent necessary to enable the accredited representatives to make their participation effective.

Participation

13.5.25 Participation in the investigation shall confer entitlement to participate in all aspects of the investigation, under the control of the investigator-in-charge, in particular to:

- (a) Visit the scene of the accident;
- (b) Examine the wreckage;
- (c) Obtain witness information and suggest areas of questioning;
- (d) Have full access to all relevant evidence as soon as possible;
- (e) Receive copies of all pertinent documents;
- (f) Participate in read-outs of recorded media;
- (g) Participate in off-scene investigative activities such as component examinations, technical briefings, tests and simulations;

- (h) Participate in investigation progress meetings including deliberations related to analysis, findings, causes, contributing factors and safety recommendations; and
- (i) Make submissions in respect of the various elements of the investigation.

However, participation of States other than the State of Registry, the State of the Operator, the State of Design and the State of Manufacture may be limited to those matters which entitled such States to participation under 13.5.23.

Note 1. It is recognized that the form of participation would be subject to the procedures of the State in which the investigation, or part thereof, is being conducted.

Note 2. The collection and recording of information need not be delayed to await the arrival of an accredited representative.

Note 3. Nothing in this article precludes the State conducting the investigation from extending participation beyond the entitlement enumerated.

Note 4. The pertinent documents referred to in subparagraph 13.5.25(e) also include documents such as the reports on examinations of components or studies performed within the framework of the investigation.

Obligation

13.5.26 Accredited representatives and their advisers:

- (a) Shall provide the State conducting the investigation with all relevant information available to them; and
- (b) Shall not divulge information on the progress and the findings of the investigation without the express consent of the State conducting the investigation.

Note. Nothing in this Standard precludes prompt release of facts when authorized by the State conducting the investigation, nor does this Standard preclude accredited representatives from reporting to their respective States in order to facilitate appropriate safety actions.

States having Suffered Fatalities or Serious Injuries to their Citizens

Rights and entitlement

13.5.27 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:

- (a) Visit the scene of the accident;
- (b) Have access to the relevant factual information which is approved for public release by the State conducting the investigation, and information on the progress of the investigation; and
- (c) 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.

Note. Guidance related to assistance to aircraft accident victims and their families is provided in the Manual on National Air Transport Facilitation Programme.

13.5.28 The State conducting the investigation 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.

Chapter 6. Final Report

13.6.1 The format of the Final Report in Appendix 1 shall be used. However, it may be adapted to the circumstances of the accident or incident.

Responsibility of Jordan

Release of information — Consent

13.6.2 Jordan shall not circulate, publish or give access to a draft 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 latter State.

Responsibility of Jordan as the State Conducting the Investigation

Consultation

13.6.3 Jordan as the State 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:

- (a) The State that instituted the investigation;
- (b) The State of Registry;
- (c) The State of the Operator;
- (d) The State of Design;
- (e) The State of Manufacture; and
- (f) Any State that participated in the investigation as per Chapter 5.

The usual consultation period shall be thirty days from the date of the transmittal correspondence. The consultation period shall be extended to sixty days by the State conducting the investigation if it is notified of the need for additional time by the State invited to comment. If Jordan as the State conducting the investigation receives comments within the consultation period, it 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 Jordan as the State conducting the investigation receives no comments within the consultation period, it shall issue the Final Report in accordance with 13.6.4, unless further extension of that period has been agreed by the States concerned.

Note 1. Nothing in this article is intended to preclude Jordan as the State conducting the investigation from consulting other States, such as those States which provided relevant information, significant facilities, or experts who participated in the investigation under 13.5.27.

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.

Note 3. When sending the draft Final Report to recipient States, Jordan as the State conducting the investigation may consider using the most suitable and quickest means available, such as facsimile, e-mail, courier service or express mail.

Note 4. Intended safety recommendations are to be included in the draft Final Report.

13.6.3.1 Jordan as the State 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.

13.6.3.2 Jordan as the State conducting the investigation shall 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.

Recipient States

13.6.4 The Final Report of the investigation shall be sent with a minimum of delay by Jordan as the State conducting the investigation to:

- (a) The State that instituted the investigation;
- (b) The State of Registry;
- (c) The State of the Operator;
- (d) The State of Design;
- (e) The State of Manufacture;
- (f) Any State that participated in the investigation;
- (g) Any State having suffered fatalities or serious injuries to its citizens; and
- (h) Any State that provided relevant information, significant facilities or experts.

Release of the Final Report

13.6.5 In the interest of accident prevention, Jordan as the State conducting the investigation of an accident or incident shall make the Final Report publicly available as soon as possible and, if possible, within twelve months.

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

13.6.6 If the report cannot be made publicly available within twelve months, Jordan as State conducting the investigation shall make an interim statement publicly available on each anniversary of the occurrence, detailing the progress of the investigation and any safety issues raised.

13.6.6.1 If Jordan as the State conducting the investigation does not make the Final Report or an interim statement publicly available within a reasonable timeframe,

other States participating in the investigation are entitled to request in writing from Jordan as the State conducting the investigation express consent to release a statement containing safety issues raised with such information as is available. If Jordan as the State conducting the investigation gives express consent or does not reply to such a request within 30 days, the State making the request should release such a statement after coordinating with participating States.

International dissemination of the Final Report

13.6.7 When Jordan as the State that has conducted an investigation into an accident or an incident involving an aircraft of a maximum mass of over 5700 kg has released a Final Report, shall send to the International Civil Aviation Organization a copy of the Final Report.

Note 1. Whenever practicable, the Final Report sent to ICAO is to be prepared in one of the working languages of the Organization and in the form shown in Appendix 1.

Note 2. Final Reports are recorded in an ICAO central database, the e-Library of Final Reports, which is publicly available.

Note 3. The copy of the Final Report sent to ICAO is preferably prepared in an electronic format to facilitate its upload onto the e-Library of Final Reports.

Safety recommendations

13.6.8 At any stage of the investigation of an accident or incident, the AAID of Jordan as the State conducting the investigation shall recommend in a dated transmittal 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.

Note. Nothing in this Part is intended to preclude Jordan as the State conducting the investigation from consulting States participating in the investigation on its draft safety recommendations, inviting their comments on the appropriateness and effectiveness of these recommendations.

13.6.8.1 Precedence for the issuance of safety recommendations from an accident or incident investigation is given to the State conducting the investigation; however, in the interest of safety, other States participating in the investigation shall be entitled to issue safety recommendations after coordinating with the State conducting the investigation.

Note. Effective coordination of draft safety recommendations would avoid issuance of conflicting safety recommendations by the States participating in the investigation.

13.6.9 Jordan as the State conducting investigations of accidents or incidents shall address, when appropriate, any safety recommendations arising out of its investigations in a dated transmittal correspondence to the accident investigation authorities of other State(s) concerned and, when ICAO documents are involved, to ICAO.

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

13.6.9.1 Jordan as the State issuing a safety recommendation of global concern (SRGC) shall inform ICAO of the issuance of that recommendation and its responses in dated transmittal correspondence, even when the SRGC is not addressed to ICAO.

Note. SRGC and responses are recorded in an ICAO central database that is made publicly available.

Responsibility of Jordan as the State Receiving or Issuing Safety Recommendations

Action on safety recommendations

13.6.10 Jordan as the State that receives safety recommendations 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.

Note. Nothing in this article is intended to preclude Jordan as the State conducting the investigation from making proposals for preventive action other than safety recommendations.

13.6.11 Jordan as the State conducting the investigation or any other State issuing a safety recommendation shall implement procedures to record the responses received under 13.6.10 to the safety recommendation issued.

13.6.12 Jordan as the State that receives a safety recommendation shall implement procedures to monitor the progress of the action taken in response to that safety recommendation.

Note. Guidance on the identification, drafting and follow-up of safety recommendations is contained in the IHB, Part IV — Reporting.

Chapter 7. ADREP Reporting

Note 1. “Guidance Material to Part-13” No. 31 GM-01 provides a notification and reporting checklist.

Note 2. The provisions of this Chapter may require two separate reports for any one accident or incident. They are:

- Preliminary Report
- Accident/Incident Data Report

Preliminary Report Responsibility of Jordan as the State Conducting the Investigation

Accidents to aircraft over 2250 kg

13.7.1 When the aircraft involved in an accident is of a maximum mass of over 2250 kg, Jordan as the State conducting the investigation shall send the Preliminary Report to:

- (a) The State of Registry or the State of Occurrence, as appropriate;
- (b) The State of the Operator;
- (c) The State of Design;
- (d) The State of Manufacture;
- (e) Any State that provided relevant information, significant facilities or experts; and
- (f) The International Civil Aviation Organization.

Accidents to aircraft of 2250 kg or less

13.7.2 When an aircraft, not covered by 13.7.1, is involved in an accident and when airworthiness or matters considered to be of interest to other States are involved, Jordan as the State conducting the investigation shall forward the Preliminary Report to:

- (a) The State of Registry or the State of Occurrence, as appropriate;
- (b) The State of the Operator;
- (c) The State of Design;
- (d) The State of Manufacture; and
- (e) Any State that provided relevant information, significant facilities or experts

Language

13.7.3 The Preliminary Report shall be submitted to appropriate States and to the International Civil Aviation Organization in English and/or Arabic Language.

Dispatch

13.7.4 The Preliminary Report shall be sent by facsimile, e-mail, or airmail within thirty days of the date of the accident unless the Accident/Incident Data Report has been sent by that time. When matters directly affecting safety are involved, it shall be sent as soon as the information is available and by the most suitable and quickest means available.

Accident/Incident Data Report Responsibility of Jordan as the State Conducting the Investigation

Accidents to aircraft over 2250 kg

13.7.5 When the aircraft involved in an accident is of a maximum mass of over 2250 kg, Jordan as the State conducting the investigation shall send, as soon as practicable after the investigation, the Accident Data Report to the International Civil Aviation Organization.

Additional information

13.7.6 Jordan as the State conducting the investigation shall, upon request, provide other States with pertinent information additional to that made available in the Accident/Incident Data Report.

Incidents to aircraft over 5700 kg

13.7.7 If Jordan conducts an investigation into an incident to an aircraft of a maximum mass of over 5700 kg, Jordan shall send, as soon as is practicable after the investigation, the Incident Data Report to the International Civil Aviation Organization.

Note. The types of incidents which are of main interest to the International Civil Aviation Organization for accident prevention studies are listed in “Guidance Material to Part-13” No. 31 GM-01.

Chapter 8. Accident Prevention Measures

Note. In addition to the provisions of this Chapter, other provisions relative to the promotion of accident prevention by collection and analysis of safety data and by a prompt exchange of safety information, as part of the State Safety Programme (SSP), are included in Part 19 (Safety Management) and, to this effect, are applicable to this Part. Further guidance is contained in the Safety Management Manual (Doc 9859).

Database and preventive actions

13.8.1 AAID shall establish and maintain an accident and incident database to facilitate the effective analysis of information on actual or potential safety deficiencies and to determine any preventive actions required.

Note. Additional information on which to base preventive actions may be contained in the Final Reports on accidents and incidents that have been investigated.

13.8.2 CARC, as the authority responsible for the implementation of the SSP, should have access to the accident and incident database referenced in 13.8.1 to support their safety responsibilities.

Note. An accident and incident database may be included in a safety database, which may refer to a single or multiple database(s). Further provisions on a safety database are contained in Part 19. Additional guidance is also included in the Safety Management Manual (Doc 9859).

13.8.3 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 accident investigation authority.

Appendix 1. Format of the Final Report (See Chapter 6)

Purpose

The purpose of this format is to present the Final Report in a convenient and uniform manner.

Detailed guidance on completing each section of the Final Report is found in the IHB.

Format

Title. The Final Report begins with a title comprising:

Name of the operator; manufacturer, model, nationality and registration marks of the aircraft; and place and date of the accident or incident.

Synopsis. Following the title is a synopsis describing briefly all relevant information regarding:

Notification of accident to national and foreign authorities; identification of the accident investigation authority and accredited representation; organization of the investigation; authority releasing the report and date of publication; and concluding with a brief résumé of the circumstances leading to the accident.

Body. The body of the Final Report comprises the following main headings:

- (1) Factual information
- (2) Analysis
- (3) Conclusions
- (4) Safety recommendations

Each heading consisting of a number of subheadings as outlined in the following.

Appendices. Include as appropriate

Note. In preparing a Final Report, using this format, ensure that:

- (a) All information relevant to an understanding of the factual information, analysis and conclusions is included under each appropriate heading;
- (b) Where information in respect of any of the items in 1 (Factual information) is not available, or is irrelevant to the circumstances leading to the accident, a note to this effect is included under the appropriate subheadings.

1. Factual Information

1.1 History of the flight. A brief narrative giving the following information:

— Flight number, type of operation, last point of departure, time of departure (local time or UTC), point of intended landing.

— Flight preparation, description of the flight and events leading to the accident, including reconstruction of the significant portion of the flight path, if appropriate.

— Location (latitude, longitude, elevation), time of the accident (local time or UTC), whether day or night.

1.2 Injuries to persons. Completion of the following (in numbers):

Injuries	Crew	Passengers	Others
Fatal			
Serious			
Minor/None			

Note. Fatal injuries include all deaths determined to be a direct result of injuries sustained in the accident. Serious injury is defined in Chapter 1.

1.3 Damage to aircraft. Brief statement of the damage sustained by aircraft in the accident (destroyed, substantially damaged, slightly damaged, no damage).

1.4 Other damage. Brief description of damage sustained by objects other than the aircraft.

1.5 Personnel information:

- (a) Pertinent information concerning each of the flight crew members including: age, validity of licences, ratings, mandatory checks, flying experience (total and on type) and relevant information on duty time.
- (b) Brief statement of qualifications and experience of other crew members.
- (c) Pertinent information regarding other personnel, such as air traffic services, maintenance, etc., when relevant.

1.6 Aircraft information:

- (a) Brief statement on airworthiness and maintenance of the aircraft (indication of deficiencies known prior to and during the flight to be included, if having any bearing on the accident).
- (b) Brief statement on performance, if relevant, and whether the mass and centre of gravity were within the prescribed limits during the phase of operation related to the accident. (If not and if of any bearing on the accident give details).
- (c) Type of fuel used.

1.7 Meteorological information:

- (a) Brief statement on the meteorological conditions appropriate to the circumstances including both forecast and actual conditions, and the availability of meteorological information to the crew.
- (b) Natural light conditions at the time of the accident (sunlight, moonlight, twilight, etc.).

1.8 Aids to navigation. Pertinent information on navigation aids available, including landing aids such as ILS, MLS, NDB, PAR, VOR, visual ground aids, etc., and their effectiveness at the time.

1.9 Communications. Pertinent information on aeronautical mobile and fixed service communications and their effectiveness.

1.10 Aerodrome information. Pertinent information associated with the aerodrome, its facilities and condition, or with the take-off or landing area if other than an aerodrome.

1.11 Flight recorders. Location of the flight recorder installations in the aircraft, their condition on recovery and pertinent data available therefrom.

1.12 Wreckage and impact information. General information on the site of the accident and the distribution pattern of the wreckage, detected material failures or component malfunctions. Details concerning the location and state of the different pieces of the wreckage are not normally required unless it is necessary to indicate a break-up of the aircraft prior to impact. Diagrams, charts and photographs may be included in this section or attached in the appendices.

1.13 Medical and pathological information. Brief description of the results of the investigation undertaken and pertinent data available therefrom.

Note. Medical information related to flight crew licences should be included in 1.5 — Personnel information.

1.14 Fire. If fire occurred, information on the nature of the occurrence, and of the firefighting equipment used and its effectiveness.

1.15 Survival aspects. Brief description of search, evacuation and rescue, location of crew and passengers in relation to injuries sustained, and failure of structures such as seats and seat-belt attachments.

1.16 Tests and research. Brief statements regarding the results of tests and research.

1.17 Organizational and management information. Pertinent information concerning the organizations and their management involved in influencing the operation of the aircraft. The organizations include, for example: the operator; the air traffic services; airway, aerodrome and weather service agencies; and the regulatory authority. The information could include, but not be limited to, organizational structure and functions, resources, economic status, management policies and practices, and regulatory framework.

1.18 Additional information. Relevant information not already included in 1.1 to 1.17.

1.19 Useful or effective investigation techniques. When useful or effective investigation techniques have been used during the investigation, briefly indicate the reason for using these techniques and refer here to the main features as well as describing the results under the appropriate subheadings 1.1 to 1.18.

2. Analysis

Analyse, as appropriate, only the information documented in 1 — Factual information, and which is relevant to the determination of conclusions and causes and/or contributing factors.

3. Conclusions

List the findings, causes and/or contributing factors established in the investigation. The list of causes and/or contributing factors should include both the immediate and the deeper systemic causes and/or contributing factors.

Note. As stated in Chapter 6, 6.1, the Final Report format presented in this Appendix may be adapted to the circumstances of the accident or incident. Thus, AAID may use either “causes” or “contributing factors”, or both, in the Conclusions.

4. Safety Recommendations

As appropriate, briefly state any recommendations made for the purpose of accident prevention and identify safety actions already implemented.

Appendices

Include, as appropriate, any other pertinent information considered necessary for the understanding of the Final Report.

Appendix 2. Protection of Accident and Incident Investigation Records

1. Introduction

Note 1. The disclosure or use of records listed in Chapter 5, 13.5.12, in criminal, civil, administrative or disciplinary proceedings, or their public disclosure, can have adverse consequences for persons or organizations involved in accidents and incidents, likely causing them or others to be reluctant to cooperate with accident investigation authorities in the future. The determination on disclosure or use required by 13.5.12 is designed to take account of these matters.

Note 2. In accordance with 13.5.12, the provisions specified in this Appendix are intended to:

- (a) Assist in developing national laws, regulations and policies to protect accident and incident investigation records appropriately; and
- (b) Assist in making the determination as required by 13.5.12.

Throughout this Appendix:

- (a) Balancing test refers to the determination by the competent authority, in accordance with 13.5.12, of the impact the disclosure or use of accident and incident investigation records may have on current or future investigations; and
- (b) Record refers to those listed in 13.5.12.

Note 3. Provisions on the use and protection of safety information and related sources other than accident and incident investigation records are included in Part 19 (Safety Management).

2. General

2.1 States shall accord the protections in 13.5.12 and this Appendix to the entire recording of the cockpit voice recorder and airborne image recorder, and any transcripts from such recordings. These protections shall apply from the time an accident or incident occurs and continue after the publication of the Final Report.

2.2 States shall accord the protections in 13.5.12 and this Appendix to the other records listed in 13.5.12(b). These protections shall apply from the time they come into the custody or control of the accident investigation authority and continue after the publication of the Final Report.

Non-disclosure of audio or image recordings to the public

2.3 States shall take action to achieve the non-disclosure of audio content of cockpit voice recordings as well as image and audio content of airborne image recordings to the public, as per 13.5.12.5, such as:

- (a) Prevention of disclosure through the adoption of national laws, regulations and policies; or
- (b) Adoption of authoritative safeguards such as protective orders, closed proceedings or in-camera review; or
- (c) Prevention of disclosure of recordings through technical means, such as encrypting or overwriting, before returning the cockpit voice recorders or airborne image recorders to the owners.

Note. Ambient workplace recordings, such as cockpit voice recordings and airborne image recordings, required by SARPs contained in the Annexes to the Chicago Convention may be perceived as constituting an invasion of the privacy of operational personnel if disclosed or used for purposes other than those for which the recordings were made.

3. Competent Authority

In accordance with 13.5.12, the concerned entity shall designate a competent authority or competent authorities appropriate to the task of administering the balancing test.

Note. Different competent authorities may be designated for different circumstances. For example, the competent authority designated for applying the balancing test in criminal or civil proceedings may be a judicial authority. Another competent authority may be designated for applying the balancing test in cases where the purpose of the request for disclosure is for public accessibility.

4. Administration of the Balancing Test

4.1 Where the request is for a record to be disclosed or used in a criminal, civil, administrative or disciplinary proceeding, the competent authority shall be satisfied that a material fact in question in the proceedings cannot be determined without that record, before administering the balancing test.

Note. A material fact in question is a legal term used to refer to a fact that is significant or essential to the matter at hand, that one party alleges and that the other controverts, and is to be determined by the competent authority administering the balancing test.

4.2 When administering the balancing test, the competent authority shall take into consideration factors such as:

- (a) The purpose for which the record was created or generated;
- (b) The requester's intended use of that record;
- (c) Whether the rights or interests of a person or organization will be adversely affected by the disclosure or use of that record;
- (d) Whether the person or organization to whom that record relates has consented to make that record available;
- (e) Whether suitable safeguards are in place to limit the further disclosure or use of that record;
- (f) Whether that record has been or can be de-identified, summarized or aggregated;
- (g) Whether there is an urgent need to access that record to prevent a serious risk to health or life;
- (h) Whether that record is of a sensitive or restrictive nature; and
- (i) Whether that record reasonably indicates that the accident or incident may have been caused by an act or omission considered, in accordance with national laws and regulations, to be gross negligence, wilful misconduct, or done with criminal intent.

Note 1. The administration of the balancing test can be done once for a certain category of records and the result incorporated into national laws and regulations.

Note 2. The competent authority may need to administer a balancing test for determining whether to permit the disclosure of a record, and a separate balancing test for determining whether to permit the use of a record.

Note 3. Guidance material on the balancing test can be found in the Manual on Protection of Safety Information (Doc 10053), Part I — Protection of Accident and Incident Investigation Records.

5. Records of the Decisions

The competent authority shall record the reasons for its determination when administering the balancing test. The reasons should be made available and referred to as necessary for subsequent decisions.

6. Final Report

In order to limit the use of the Final Report for purposes other than the prevention of accidents and incidents, AAID shall consider:

- (a) Instituting a separate investigation for those other purposes; or
- (b) Differentiating between the parts of the Final Report in order to allow the use of factual information contained therein while preventing use of analysis, conclusions and safety recommendations for apportioning blame or liability; or
- (c) Preventing the use of the Final Report as evidence in proceedings to apportion blame or liability.

Note. In accordance with Chapter 6, 13.6.5, Final Reports are publicly available in the interest of accident prevention and are not subject to protection under 13.5.12. However, the use of portions of the Final Report, in particular the analysis, conclusions

and safety recommendations, as evidence before national courts in view of assigning blame or determining liability is against the purposes for which the investigation was undertaken.

7. Accident and Incident Investigation Personnel

In the interest of safety and in accordance with Chapter 3, 13.3.1 Jordan should consider that accident investigation personnel not be compellable to give an opinion on matters of blame or liability in civil, criminal, administrative or disciplinary proceedings.