

Air Navigation (Investigation of Accidents and Incidents) Order

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**AIR NAVIGATION ACT
(CHAPTER 6, SECTION 3(1))**

AIR NAVIGATION (INVESTIGATION OF ACCIDENTS AND INCIDENTS) ORDER

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G.N. No. S 78/2003

[24th February 2003]

PART I

PRELIMINARY

Citation

1. This Order may be cited as the Air Navigation (Investigation of Accidents and Incidents) Order.

Definitions and application

2.—(1) In this Order, unless the context otherwise requires —

“accident” means 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 persons have disembarked, or which in the case of an unmanned aircraft, takes place between the time the aircraft is ready to move with the purpose of flight until such time it comes to rest at the end of the flight and the primary propulsion system is shut down) in which —

(a) a person is fatally or seriously injured as a result of —

(i) being in the aircraft;

(ii) direct contact with any part of the aircraft, including parts which have become detached from the aircraft; or

(iii) direct exposure to jet blast,

except where the injuries arise from natural causes, are self-inflicted or inflicted by any other person, or where the person injured is a stowaway hiding outside the areas normally available to passengers and crew;

(b) the aircraft sustains damage or structural failure which —

(i) adversely affects the structural strength, performance or flight characteristics of the aircraft; and

(ii) would normally require major repair or replacement of the affected component,

and guidance for the determination of which is set out in the First Schedule; but excludes —

- (A) engine failure or damage, when the damage is limited to a single engine (including its cowlings or accessories) or to propellers, wings tips, antennas, probes, vanes, tyres, brakes, wheels, fairings, panels, landing gear doors, windscreens or the aircraft skin (such as small dents or puncture holes);
 - (B) minor damage to main rotor blades, tail rotor blades or landing gear; and
 - (C) minor damage resulting from hail or bird strike (including holes in the radome); or
- (c) the aircraft is missing or completely inaccessible;

[S 424/2010 wef 02/08/2010]

“accredited representative” means a person appointed by a Contracting State, on the basis of his qualifications, for the purpose of participating in an investigation conducted by another State;

“adviser” means a person appointed by a Contracting State, on the basis of his qualifications, for the purpose of assisting its accredited representative in an investigation conducted by another State;

“aircraft” means 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;

“Annex 13” means Annex 13 to the Chicago Convention as amended from time to time by the Council of the International Civil Aviation Organisation;

“ATS” means air traffic services and includes flight information service, alerting service, air traffic advisory service, air traffic control service, area control service, approach control service and aerodrome control service;

“cause”, in relation to any accident or incident, means any action, omission, event, condition, or a combination thereof, which led to the accident or incident, the identification of which does not imply the assignment of fault or the determination of administrative, civil or criminal liability;

[S 424/2010 wef 02/08/2010]

“Chief Inspector” means the Chief Inspector of Accidents appointed under paragraph 7(2);

“Contracting State” means any State which is a party to the Chicago Convention;

“contributing factor”, in relation to an accident or incident, means any action, omission, event, condition, 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;

[S 640/2013 wef 11/10/2013]

“Final Report” means a report of an accident or incident in the format set out in Annex 13 and which may be adapted to the circumstances of the accident or incident under investigation;

“flight recorder” means any type of recorder installed in the aircraft for the purpose of complementing accident or incident investigation;

“flying display” means a civilian organised event (including any rehearsal for such event) which —

- (a) consists, wholly or partly, of an exhibition of flying of any civil or military aircraft; and
- (b) takes place at an aerodrome or premises other than a naval, military or air force aerodrome or premises;

“incident” means an occurrence, other than an accident, associated with the operation of an aircraft which affects or could affect the safety of such operation;

“Inspector” means an Inspector of Accidents appointed under paragraph 7(1);

“investigation” means a process conducted for the purpose of accident and incident prevention which includes the gathering and analysis of information, the drawing of conclusions, including the determination of causes or contributing factors, or both, and, when appropriate, the making of safety recommendations;

[S 522/2009 wef 30/10/2009]

[S 424/2010 wef 02/08/2010]

“investigator-in-charge” means a person designated by the Chief Inspector as such under paragraph 8(3) and charged with the responsibility for the organisation, conduct and control of an investigation;

“military aircraft” means an aircraft belonging to —

- (a) the Singapore Armed Forces; or
- (b) any of the naval, military or air forces of any State;