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Legal basis:

Regulation (EU) No 996/2010 of the European Parliament and of the Council on the investigation and prevention of accidents and incidents in civil aviation
Regulation (EU) No 376/2014 of the European Parliament and of the Council on the reporting, analysis and follow-up of occurrences in civil aviation
Convention on International Civil Aviation (Finnish Treaty Series 11/1949), Annex 6 and 13
Act on the Transport of Dangerous Goods (719/1994), Decree on the Transport of Dangerous Goods by Air (210/1997) and Annex 18 to the Convention on International Civil Aviation

Modification details:

This Circular replaces Aviation Regulation GEN M1-4, Reporting of accidents, serious incidents and occurrences in aviation (TRAFI/10658/03.04.00.00/2013, 19 May 2014), which has been revoked, and the section on reporting in Aviation Regulation OPS M1-18, Transport of dangerous goods by air (TRAFI/8082/03.04.00.00/2012, 8 November 2012).

Revision 2.0: Specification on filing an occurrence report. Reporting by private pilots.

Revision 3.0: Specifications on filing occurrence reports, Q&A, updated web links.

Revision 3.1: Address for secure email.

Revision 4.0: Link to occurrence reporting form.

Revision 5.0: Specifications on section 1.2 Air traffic controllers and flight information service officers, section 5 Occurrence analysis and section 8 Questions and answers. Update of contact details in Appendix 2.

Revision 5.1: Update of Traficom contact details and form template.

Revision 6.0: Added section 5, specifications on section 6, updated contact details.

Revision 7.0: Added specifications on event types subject to mandatory reporting, events to be reported in unmanned aviation, events subject to voluntary reporting, the principles of just culture and the point of contact. Grammatical corrections and corrections to the Agency's name. Q&A section removed and transferred to the Traficom website.

REPORTING OF ACCIDENTS, SERIOUS INCIDENTS AND OCCURRENCES IN AVIATION

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In Finland, reporting procedures comply with the provisions of Regulation (EU) 376/2014 of the European Parliament and of the Council on the reporting, analysis and follow-up of occurrences in civil aviation (hereinafter 'Occurrence Regulation'). A link to the Regulation can be found in Appendix 2 to this Advisory Circular.

The purpose of this Circular is to describe the specific procedures and instructions to be followed in Finland.

1 REPORTING OF ACCIDENTS AND SERIOUS INCIDENTS

1.1 Pilot-in-command

The pilot-in-command shall, without delay, report any accident or serious incident to the appropriate air traffic services unit and to the Safety Investigation Authority, Finland. The report to the air traffic services unit shall be made on the relevant radio frequency or by telephone, and to the Safety Investigation Authority by telephone.

A report to the Finnish Transport and Communications Agency shall be submitted as soon as possible after the event.

The report submitted to the air traffic services unit in-flight shall contain any information about the incident that is considered essential. If the situation permits, the report shall also contain information on any dangerous goods carried.

1.2 Air traffic controllers and flight information service officers

If an air traffic controller or flight information service officer gains knowledge of an accident or serious incident, he/she shall immediately report it to the Aeronautical Rescue Coordination Centre (ARCC) within his/her area of responsibility, which in turn shall report it to the Safety Investigation Authority without delay. A report to the Finnish Transport and Communications Agency shall be submitted as soon as possible after the event.

1.3 Persons in other flight safety-related duties

When anyone in other flight safety-related duties notices an accident or serious incident, he/she shall immediately report it to the appropriate air traffic services unit. A report to the Finnish Transport and Communications Agency shall be submitted as soon as possible after the event.

Persons in other flight safety-related duties are listed in Article 4 of the Occurrence Regulation. These persons include, for example, aircraft maintenance mechanics, airport maintenance personnel and ground handling personnel.

Note: A list of examples of serious incidents is contained in Appendix 1 to this Circular. The contact details of the Safety Investigation Authority and the Finnish Transport and Communications Agency are given in Appendix 2 to this Circular.

2 REPORTING OF OCCURRENCES

2.1 The persons listed in section 1 above also have a mandatory obligation to report situations other than accidents and serious incidents.

Such other situations mean events that fall into certain event categories and may represent a significant risk to aviation safety.

More detailed lists of such event categories are presented in the annexes to Regulation (EU) 2015/1018. Events are divided into categories by different aviation activities. A link to the Regulation can be found in Appendix 2 to this Circular.

It is also recommended that the reporter inform any other parties involved of their intention to report the event, so that they are aware of the matter and can, if necessary, submit their own reports and present their views of the event.

2.2 Reporting of occurrences in unmanned aviation

Regardless of the category of operation in unmanned aviation (open, specific, certified), in Finland the pilot of an unmanned aircraft shall always submit a flight safety report if:

(a) the unmanned aircraft was involved in an event that resulted in a fatal or serious injury to a person, or

(b) the event involved a manned aircraft.

This also applies to operations of model aircraft clubs in accordance with Regulation OPS M1-32.

The obligation of mandatory reporting varies depending on the category of unmanned aviation as follows:

Operations in the **'open' category**: remote pilots do not have a mandatory obligation to report events other than those mentioned above.

Operations in the **'specific' category**: remote pilots and operators also have a mandatory obligation to report events other than those mentioned above if an unmanned aircraft is used for operations presenting a higher risk (SAIL value 5 or 6, or SAIL 3 or 4 if the operation is assessed to require type certification for the aircraft).

Operations in the **'certified' category**: remote pilots and operators also have a mandatory obligation to report events other than those mentioned above.

In Finnish unmanned state aviation, similar reporting principles are followed in such a way that practising for statutory duties is considered equal to unmanned aviation in the 'open' category.

The European Union Aviation Safety Agency EASA is preparing more detailed guidelines on the mandatory reporting of events in unmanned aviation. This Circular will be updated later in accordance with the EASA guidelines.

The Finnish Transport and Communications Agency encourages the voluntary reporting of all events that may involve an actual or potential aviation safety risk.

3 SUBMITTING A REPORT

An accident, serious incident or occurrence shall be reported to the Finnish Transport and Communications Agency using the relevant electronic reporting form.

Staff in aviation organisations should preferably report through their own organisation's safety management system. The report must be submitted within 72 hours of the event or observation.

The electronic form is available in Finnish and English on the Finnish Transport and Communications Agency's website at <https://www.traficom.fi/en/services/flight-safety-report>.

If separately agreed, an organisation may also submit the report using the Finnish Transport and Communications Agency's data transfer interface, within 72 hours of having been informed of the event.

4 VOLUNTARY REPORTING SYSTEM

In accordance with section 126 of the Aviation Act, any reports received via voluntary reporting systems shall also be submitted to the Finnish Transport and Communications Agency following the same principles and procedures as for mandatory reports.

Voluntary reports may also be submitted by persons other than those with a mandatory reporting obligation and about events other than those subject to mandatory reporting if they are perceived by the reporter as an actual or potential risk to aviation safety.

The Finnish Transport and Communications Agency recommends active voluntary reporting with as low a threshold as possible.

5 DISCLOSURE OF INFORMATION ON OCCURRENCES CONTAINED IN THE EUROPEAN CENTRAL REPOSITORY

The Finnish Transport and Communications Agency acts as a point of contact for requests to access information contained in the European Central Repository as referred to in Article 10 of the EU Occurrence Regulation.

Requests shall be submitted with the electronic form available at the bottom of this page: <https://www.traficom.fi/en/transport/aviation/aviation-safety-information>

6 OCCURRENCE ANALYSIS

According to Article 13 of the EU Occurrence Regulation, an organisation shall analyse occurrences and groups of occurrences in order to identify the associated safety hazards. Based on that analysis, each organisation shall determine any appropriate corrective or preventive action required to improve aviation safety.

Where an organisation identifies an actual or potential aviation safety risk as a result of its analysis of occurrences or group of occurrences, it shall transmit to the Finnish Transport and Communications Agency, within 30 days from the date of notification of the occurrence, the preliminary results of the analysis, if available, and any corrective action to be taken. Final results of the analysis shall be reported as soon as they are available and no later than three months from the date of notification of the occurrence.

The criteria for transmitting analysis results for **individual occurrences** are fulfilled when an organisation based on its own analysis has determined the need to take corrective or preventive action in order to mitigate a risk or an unfavourable development in the safety of its operations.

All analyses made of **groups of occurrences** (theme analyses) fulfil the criteria for transmitting analysis results. In a theme analysis, it should always be defined how the subject matter will be monitored in the future (follow-up plan) and how the analysis will be updated. In a nonrecurring theme analysis, the aforementioned time limits of 30 days and three months shall apply.

The methods and addresses for transmitting analyses are presented in Appendix 2 to this Circular.

The analysis shall contain at least the following information:

- Status of the analysis (preliminary/final/update of a theme analysis)
- File number(s) in the company's own system
- Conclusions
- Actions to prevent similar events in the future
- Follow-up plan

The format of the analysis can be determined by the organisation, as long as the aforementioned elements are included in the analysis.

The Finnish Transport and Communications Agency may also request the analysis of individual occurrences or groups of occurrences.

7 JUST CULTURE

The purpose of a 'just culture' is to encourage private individuals to report safety-related information. Personnel shall not be penalised or otherwise sanctioned and they shall not be subject to discrimination or their work shall not be made otherwise difficult because they have complied with the requirements of the Occurrence Regulation.

However, a just culture does not exempt persons from their usual responsibilities. The protection awarded by a just culture shall not apply in cases of wilful misconduct or in situations where there has been a manifest, severe and serious disregard of an obvious risk and profound failure of professional responsibility to take such care as is evidently required in the circumstances.

According to Article 16 of the Occurrence Regulation, any occurrences reported shall be appropriately processed by the organisation. The person reporting the information must be able to trust that the processing aims at genuine improvements in safety.

The principles of a just culture are discussed in more detail in the Finnish Aviation Safety Programme (link to the programme available in Appendix 2). The Finnish Transport and Communications Agency follows the principles when processing information on occurrences.

7.1 Appeal body

Article 16 of the Occurrence Regulation lays down provisions on a body to which employees and contracted personnel may report any actions in the processing of reports that they consider to infringe the principle of just culture.

In Finland, the designated body is the Finnish Transport and Communications Agency and more specifically the head of the team responsible for regulatory affairs. The contact details of the appeal body can be found in Appendix 2 to this Circular.

8 REPORTING OF OCCURRENCES INVOLVING DANGEROUS GOODS

8.1 Provision of information after an aviation accident or incident involving dangerous goods

Accident and incident reports referred to in section 19, subsections 1 and 2 of the Decree on the Transport of Dangerous Goods by Air shall contain the information on any dangerous goods carried as cargo in the aircraft that the transport operator has provided in writing to the pilot-in-command before the flight.

8.2 Provision of information after a dangerous goods accident or incident

Accident and incident reports referred to in section 19, subsection 3 of the Decree on the Transport of Dangerous Goods by Air shall be made in accordance with sections 2 and 3 of this Circular. Events shall be reported irrespective of whether the dangerous goods were contained in cargo, mail, passengers' baggage or crew baggage. The report shall be submitted to the competent authorities without delay, but in any case within 72 hours of the event.

The report shall include the details that are known at the time when the report is submitted.

At least the following information shall be provided, if available:

- a) date and time of the event;
- b) flight identification (call sign) and flight date;
- c) description of the goods;
- d) location of the dangerous goods (cargo, mail, passenger's baggage, crew baggage);
- e) reference number of the air waybill / mail pouch / baggage tag / flight ticket;
- f) proper shipping name and UN number;
- g) primary hazard class of the substance and any subsidiary risk;
- h) type of packaging and packaging specification marking;
- i) quantity of dangerous goods;
- j) name and address of the shipper / passenger;
- k) suspected cause of the event;
- l) action taken.

The report shall also contain the name, title, address and telephone number of the person making the report.

The report shall be accompanied by copies of relevant documents and any photographs taken.

8.3 Provision of information on dangerous goods left for carriage or carried contrary to requirements

Reports referred to in section 19, subsection 4 of the Decree on the Transport of Dangerous Goods by Air shall be made in accordance with section 2 of this Circular.

The content of the report shall be as instructed in section 8.2 above.

Jukka Sironen
Head of Services
Airworthiness, Personnel Licensing and Safety Information

Appendix 1

LIST OF EXAMPLES OF SERIOUS INCIDENTS

(ICAO Annex 13)

The incidents listed below are typical examples of serious incidents. The list is not exhaustive and only serves as guidance to the definition of 'serious incident'.

- Near collisions requiring an avoidance manoeuvre to avoid a collision or an unsafe situation or when an avoidance action would have been appropriate.
- Controlled flight into terrain (CFIT) only marginally avoided.
- Aborted take-offs on a closed or engaged runway, or take-offs from a closed or engaged runway with marginal separation from obstacle(s).
- Landings or attempted landings on a closed or engaged runway.
- Gross failures to achieve predicted performance during take-off or initial climb.
- Fire and smoke in the passenger compartment, in cargo compartments, or engine fires, even though such fires were extinguished by the use of extinguishing agents.
- Events requiring the emergency use of oxygen by the flight crew.
- Aircraft structural failures or engine disintegrations not classified as an accident.
- Multiple malfunctions of one or more aircraft systems seriously affecting the operation of the aircraft.
- Flight crew incapacitation in flight.
- Fuel quantity requiring the declaration of an emergency by the pilot.
- Runway incursions classified with severity A (ICAO Doc 9870).
- Take-off or landing incidents, such as undershooting, overrunning or running off the side of runways.
- System failures, weather phenomena, operations outside the approved flight envelope or other occurrences that could have caused difficulties controlling the aircraft.
- Failures of more than one system in a redundancy system mandatory for flight guidance and navigation.

Appendix 2 CONTACT DETAILS

Safety Investigation Authority, Finland

Telephone (24H): +358 50 5 112 112

Finnish Transport and Communications Agency

Reports on accidents, serious incidents and occurrences:

<https://www.traficom.fi/en/services/flight-safety-report>

Analyses and related materials:

lentoturvallisuus@traficom.fi

or by secure email either to

lentoturvallisuus@traficom.fi.s (if the sender uses Sec@GW for email encryption)

or

<https://securemail.traficom.fi/lentoturvallisuus@traficom.fi>

Protection of the reporter and suspected infringements of just culture principles:

kirjaamo@traficom.fi

Questions on reporting:

lentoturvallisuus@traficom.fi

Further information about occurrence reporting

Occurrence Regulation (EU) No 376/2014:

<http://data.europa.eu/eli/reg/2014/376>

Implementing Regulation (EU) 2015/1018 (occurrences to be mandatorily reported):

http://data.europa.eu/eli/reg_impl/2015/1018

EASA Easy Access Rules for Occurrence Reporting, including guidance material on the

Occurrence Regulation: <https://www.easa.europa.eu/document-library/easy-access-rules/occurrence-reporting-rule-book-easy-access-rules>

Additional questions about reporting can be sent to the Finnish Transport and Communications Agency via this link (form in Finnish): <https://link.webropol-surveys.com/S/233EFD31990F957F>

Questions and answers on occurrence reporting:

<https://www.traficom.fi/en/services/flight-safety-report>

Aviation safety information:

<https://www.traficom.fi/en/transport/aviation/aviation-safety-information>

Finnish Aviation Safety Programme:

<https://www.traficom.fi/en/liikenne/ilmailu/suomen-ilmailun-turvallisuusohjelma>