



**REPUBLIC OF INDONESIA
MINISTRY OF TRANSPORTATION**

CIVIL AVIATION SAFETY REGULATIONS (CASR)

PART 830

**NOTIFICATION AND REPORTING OF
AIRCRAFT ACCIDENTS, INCIDENTS, OR
OVERDUE AIRCRAFT AND
ACCIDENT/INCIDENT INVESTIGATION
PROCEDURES**

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SUB PART A. GENERAL

830.1 Applicability

This part contains rules pertaining to:

- (a) Initial notification and later reporting of aircraft incidents and accidents and certain other occurrences in the operation of aircraft, wherever they occur, when they involve civil aircraft of the Republic of Indonesia; when they involve certain state aircraft, as specified in this part, wherever they occur; and when they involve foreign civil aircraft where the events occur in Indonesia, or its territories.
- (b) Preservation of aircraft wreckage, mail, cargo, and records involving all civil and certain state aircraft accidents, as specified in this Part, in the Republic of Indonesia and its territories.
- (c) Accident and incident investigation procedures.

830.2 Definitions

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

(a) Aircraft accident

An occurrence associated with the operation of an aircraft which takes place between the time any person boards the aircraft with the intention of flight until such time as all such persons have disembarked, in which:

- (1) a person is fatally or seriously injured as a result of:
 - (i) being in the aircraft, or
 - (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 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

- (2) 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,

except for engine failure or damage, when the damage is limited to the engine, its cowlings or accessories; or for damage limited to propellers, wing tips, antennas, tires, brakes, fairings, small dents or puncture holes in the aircraft skin; or

- (3) the aircraft is missing or is completely inaccessible.

(b) Civil aircraft

Civil aircraft means any aircraft other than a state aircraft.

(c) Fatal injury

Fatal injury means any injury which results in death within 30 days of the accident.

(d) Incident

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

(e) Operator

Operator means any person who causes or authorizes the operation of an aircraft, such as the owner, lessee, or bailee of an aircraft.

(f) State aircraft

State aircraft means an aircraft used for the Indonesian Government, by the Armed Forces, Police, and for the purpose of law enforcement.

(g) Serious incident

Serious incident means an incident involving circumstances indicating that an accident nearly occurred.

(h) Serious injury

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

- (1) requires hospitalization for more than 48 hours, commencing within seven days from the date the injury was received; or
- (2) results in a fracture of any bone (except simple fractures of fingers, toes or nose); or
- (3) involves lacerations which cause severe haemorrhage, nerve, muscle or tendon damage; or
- (4) involves injury to any internal organ; or
- (5) involves second or third degree burns, or any burns affecting more than 5 per cent of the body surface; or
- (6) involves verified exposure to infectious substances or injurious radiation.

SUBPART B. INITIAL NOTIFICATION OF AIRCRAFT ACCIDENTS, INCIDENTS, AND OVERDUE AIRCRAFT

830.5 Immediate Notification

- (a) The operator of any civil aircraft, or any foreign aircraft shall immediately, and by the most expeditious means available, notify the National Transportation Safety Committee (NTSC) and the Directorate General of Civil Aviation (DGCA) when an aircraft accident occurs.
- (b) When an aircraft is overdue and is believed to have been involved in an accident, it shall be reported to both NTSC and DGCA.
- (c) When an aircraft is involved in the following serious incidents, it shall be reported immediately to both NTSC and DGCA:
 - (1) Flight control system malfunction or failure;
 - (2) Inability of any required flight crewmember to perform normal flight duties as a result of injury or illness;
 - (3) Damage to property;
 - (4) For large multi engine aircraft (more than 12,500 pounds maximum takeoff weight);
 - (i) In-flight failure of electrical systems which requires the sustained use of an emergency bus powered by a backup source such as a battery, auxiliary power unit, or air driven generator to retain flight control or essential instruments;
 - (ii) In-flight failure of hydraulic systems that results in sustained reliance on the sole remaining hydraulic or mechanical system for movement of flight control surfaces;
 - (iii) Sustained loss of the power or thrust produced by two or more engines; and
 - (iv) An evacuation of an aircraft in which an emergency egress system is utilized.
 - (5) Near collisions requiring an avoidance manoeuvre to avoid a collision or an unsafe situation or when an avoidance action would have been appropriate.
 - (6) Controlled flight into terrain only marginally avoided.
 - (7) Aborted take-offs on a closed or engaged runway.
 - (8) Take-offs from a closed or engaged runway with marginal separation from obstacle(s).
 - (9) Landings or attempted landings on a closed or engaged runway.
 - (10) Gross failures to achieve predicted performance during take-off or initial climb.
 - (11) Fires and smoke in the passenger compartment, in cargo compartments or engine fires, even though such fires were extinguished by the use of extinguishing agents.
 - (12) Events requiring the emergency use of oxygen by the flight crew.

- (13) Aircraft structural failures or engine disintegrations not classified as an accident.
 - (14) Multiple malfunctions of one or more aircraft systems seriously affecting the operation of the aircraft.
 - (15) Fuel quantity requiring the declaration of an emergency by the pilot.
 - (16) Take-off or landing incidents. Incidents such as undershooting, overrunning or running off the side of runways.
 - (17) System failures, weather phenomena, operations outside the approved flight envelope or other occurrences which could have caused difficulties controlling the aircraft.
 - (18) Failures of more than one system in a redundancy system mandatory for flight guidance and navigation.
- (d) When an aircraft is involved in an incident which is not listed in 830.5(c), it shall be reported to DGCA.
- (e) An airport authority and/or an air navigation services agency who knows that there is an aircraft accident/incident shall immediately report to the NTSC and to the DGCA

830.6 Information to be given in Notification

The notification required in Paragraph 830.5 shall contain the following information, if available:

- (a) Type, nationality, and registration marks of the aircraft;
- (b) Name of owner, and operator of the aircraft;
- (c) Name of the pilot in command;
- (d) Date and time of the accident;
- (e) Last point of departure and point of intended landing of the aircraft;
- (f) Position of the aircraft with reference to some easily defined geographical point;
- (g) Number of persons aboard, number killed, and number seriously injured;
- (h) Nature of the accident, the weather and the extent of damage to the aircraft, so far as is known; and
- (i) A description of any explosives, radioactive materials, or other dangerous articles carried.

SUBPART C. PRESERVATION OF AIRCRAFT WRECKAGE, MAIL, CARGO, AND RECORDS

830.10 Preservation of Aircraft Wreckage, Mail, Cargo, and Records

- (a) The operator of an aircraft involved in an accident or incident for which notification must be given is responsible for preserving to the extent possible any aircraft wreckage, cargo, and mail aboard the aircraft, and all records, including all recording mediums of flight, maintenance, and voice recorders, pertaining to the operation and maintenance of the aircraft and to the airmen until the NTSC or DGCA takes custody thereof or a release is granted pursuant to paragraph 830.43(b) of this part.
- (b) Prior to the time the NTSC, DGCA or their authorized representative takes custody of aircraft wreckage, mail, or cargo, such wreckage, mail, or cargo may not be disturbed or moved except to the extent necessary:
 - (1) To remove persons injured or trapped;
 - (2) To protect the wreckage from further damage; or
 - (3) To protect the public from injury.
- (c) Where it is necessary to move aircraft wreckage, mail, or cargo, sketches, descriptive notes, and photographs shall be made, if possible, of the original positions and condition of the wreckage and any significant impact marks.
- (d) The operator of an aircraft involved in an accident or incident shall retain all records, reports, internal documents, and memoranda dealing with the accident or incident, until authorized by the NTSC or DGCA to the contrary.
- (e) If an accident takes place outside an airport territory, the respective local Government Office shall in addition to (a) through (c), rescue and protect the crew and the passengers.

SUBPART D. REPORTING OF AIRCRAFT ACCIDENTS, INCIDENTS, AND OVERDUE AIRCRAFT

830.15 Reports and Statements to be Filed

(a) Reports

The operator of an aircraft as specified in Paragraph 830.5, shall file a report on NTSC and DGCA Forms within 10 days after an accident, serious incident, or after 7 days if an overdue aircraft is still missing. A report on an incident for which immediate notification is required by Paragraph 830.5(d) shall be filed on DGCA form.

(b) Crewmember statement

Each crewmember, if physically able at the time the report is submitted, shall attach a statement setting forth the facts, conditions, and circumstances relating to the accident or incident as they appear to him. If the crewmember is incapacitated, he shall submit the statement as soon as he is physically able.

(c) Where to file the reports

The operator of an aircraft shall file accident and incident report with the offices of the NTSC and DGCA respectively.

Note: Forms are available from the NTSC and the DGCA offices.

SUBPART E. ACCIDENT/INCIDENT INVESTIGATION PROCEDURES

830.20 Applicability of Subpart

Unless otherwise specifically ordered by the NTSC or the DGCA, the provisions of this Subpart shall govern all accident or incident investigations, conducted under the authority of the Aviation Act No.15/1992 and Government Rule No. 3/2001.

830.23 Responsibility of NTSC

- (a) The NTSC is responsible for the organization, conduct, and control of all accident and serious incident investigations within the Republic of Indonesia, where the accident or serious incident involves any aircraft as specified in 830.5. The NTSC is also responsible for investigating accidents and serious incidents that occur outside Indonesia, when the accident or serious incident is not in the territory of another country, i.e. in international waters.
- (b) Certain aviation investigations may be conducted by the Directorate General of Civil Aviations (DGCA), pursuant to a request from NTSC to investigate certain aircraft accidents and serious incidents. The NTSC determines the probable cause of such accidents or serious incidents. Under no circumstances are aviation investigations where the portion of the investigation is so delegated to the DGCA by the NTSC considered to be joint investigations in the sense of sharing responsibility. These investigations remain NTSC investigations.
- (c) The NTSC is the agency charged with fulfilling the obligations of the Republic of Indonesia under Annex 13 to the Chicago Convention on International Civil Aviation. Annex 13 contains specific requirements for the notification, investigation, and reporting of certain incidents and accidents involving international civil aviation. In the case of an accident or serious incident in a foreign state involving civil aircraft of Indonesian registry or manufacture, where the foreign state is a signatory to Annex 13 to the Chicago Convention of the International Civil Aviation Organization, the state of occurrence is responsible for the investigation. If the accident or serious incident occurs in a foreign state not bound by the provisions of Annex 13 to the Chicago Convention, or if the accident or serious incident involves a state aircraft, the conduct of the investigation shall be in consonance with any agreement entered into between the Republic of Indonesia and the foreign state.

830.25 Responsibility of the DGCA.

The DGCA is responsible for the investigations of all aircraft incidents which are not specified in paragraph 830.5 (c).

830.30 Nature of Investigation

- (1) Accident and serious incident investigations are conducted by the NTSC to determine the facts, conditions, and circumstances relating to an accident/serious incident and the probable cause(s) thereof. These results are then used to ascertain measures that would best tend to prevent similar accidents/serious incidents in the future. The investigation includes the field investigation on-scene at the accident, testing, teardown, and report preparation. The investigation results in the NTSC conclusions issued in the form of a report or "brief" of the accident. Accident or serious incident investigations are fact-finding proceedings

with no formal issues and no adverse parties. Such investigations are not conducted for the purpose of determining the rights or liabilities of any person.

- (2) Incident investigations are conducted by the DGCA to determine the facts, conditions, and circumstances relating to the incident and the probable cause (s) thereof. These results are then used to ascertain measures that would best tend to prevent similar incidents in the future.

830.35 Right of Representation

Any person interviewed by an authorized representative of the NTSC or DGCA during the investigation, regardless of the form of the interview (sworn, unsworn, transcribed, not transcribed, etc.), has the right to be accompanied, represented, or advised by an attorney or non-attorney representative.

830.37 Investigator-in-charge

The designated NTSC or DGCA investigator-in-charge (IIC) organizes, conducts, controls, and manages the field phase of the investigation, regardless of whether an NTSC member or a DGCA representative is also on-scene at the accident or incident site respectively. The role of the NTSC member or a DGCA representative at the scene of an accident/incident investigation is as the official spokesperson for the NTSC or DGCA. The IIC has the responsibility and authority to supervise and coordinate all resources and activities of all personnel, both from within and from outside the organization, involved in the on-site investigation. The IIC continues to have considerable organizational and management responsibilities throughout later phases of the investigation, up to and including NTSC or DGCA consideration and adoption of a report or brief of probable cause(s).

830.39 Authority of NTSC or DGCA Representatives

- (a) Any employee of the NTSC or DGCA, upon presenting appropriate credentials, is authorized to enter any property where an accident/incident subject to the NTSC's or DGCA jurisdiction has occurred, or wreckage from any such accident is located, and do all things considered necessary for proper investigation. Further, upon demand of an authorized representative of the NTSC or DGCA and presentation of credentials, any Government agency, or person having possession or control of any transportation vehicle or component thereof, any facility, equipment, process or controls relevant to the investigation, or any pertinent records or memoranda, including all files, hospital records, and correspondence then or thereafter existing, and kept or required to be kept, shall forthwith permit inspection, photographing, or copying thereof by such authorized representative for the purpose of investigating an accident, or preparing a study, or related to any special investigation pertaining to safety or the prevention of accidents. The NTSC or DGCA may request a Court Order to obtain testimony or other evidence. Authorized representatives of the NTSC or DGCA may question any person having knowledge relevant to an accident, study, or special investigation. Authorized representatives of the NTSC or DGCA also have exclusive authority, on behalf of the NTSC or DGCA, to decide the way in which any testing will be conducted, including decisions on the person that will conduct the test, the type of test that will be conducted, and any individual who will witness the test.
- (b) Any employee of the NTSC or DGCA, upon presenting appropriate credentials, is authorized to examine and test to the extent necessary any aircraft as specified in

830.5, aircraft engine, propeller, appliance, or property aboard such aircraft involved in an accident in air commerce.

830.40 Autopsies

The NTSC is authorized to obtain, with or without reimbursement, a copy of the report of autopsy performed by national or local officials on any person who dies as a result of having been involved in a transportation accident within the jurisdiction of the NTSC. The investigator-in-charge, on behalf of the NTSC, may order an autopsy or seek other tests of such persons as may be necessary to the investigation, provided that to the extent consistent with the needs of the accident investigation, provisions of local law protecting religious beliefs with respect to autopsies shall be observed.

830.41 Parties to the Investigation

- (a) (1) The investigator-in-charge designates parties to participate in the investigation. Parties shall be limited to those persons, government agencies, companies, and associations whose employees, functions, activities, or products were involved in the accident and who can provide suitable qualified technical personnel actively to assist in the investigation.
 - (2) Participants in the investigation (i.e., party representatives, party coordinators, and/or the larger party organization) shall be responsive to the direction of NTSC or DGCA representatives and may lose party status if they do not comply with their assigned duties and activity proscriptions or instructions, or if they conduct themselves in a manner prejudicial to the investigation.
 - (3) No party to the investigation shall be represented in any aspect of the NTSC or DGCA investigation by any person who also represents claimants or insurers. No party representative may occupy a legal position. Failure to comply with these provisions may result in sanctions, including loss of status as a party.
- (b) In addition to compliance with the provisions of paragraph (a) of this section, and to assist in ensuring complete understanding of the requirements and limitations of party status, all party representatives shall sign "Statement of Party Representatives to NTSC or DGCA Investigation" immediately upon attaining party representative status. Failure timely to sign that statement may result in sanctions, including loss of status as a party.

830.43 Access to and Release of Wreckage, Records, Mail, and Cargo

- (a) Only the NTSC's accident/serious incident investigation personnel or DGCA's incident investigation personnel, and persons authorized by the investigator-in-charge to participate in any particular investigation, examination or testing shall be permitted access to wreckage, records, mail, or cargo in the NTSC or DGCA custody.
- (b) Wreckage, records, mail, and cargo in the NTSC or DGCA custody shall be released by an authorized representative of the NTSC or DGCA when it is determined that the NTSC or DGCA has no further need of such wreckage, mail, cargo, or records. When such material is released, Form "Release of Wreckage," will be completed, acknowledging receipt.

830.45 Flow and Dissemination of Accident Information.

- (a) Release of information during the field investigation, particularly at the accident/incident scene, shall be limited to factual developments, and shall be made only through the NTSC or DGCA representative present at the accident/incident scene, the representative of the NTSC's or DGCA Office of Public Affairs, or the investigator-in-charge.
- (b) All information concerning the accident obtained by any person or organization participating in the investigation shall be passed to the IIC through appropriate channels before being provided to any individual outside the investigation. Parties to the investigation may relay to their respective organizations information necessary for purposes of prevention or remedial action. However, no information concerning the accident may be released to any person not a party representative to the investigation, including non-party representative employees of the party organization, before initial release by the NTSC without prior consultation and approval of the IIC.

830.46 Proposed findings.

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

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