



# Part 39

# Airworthiness Directives and Reporting System

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## **SUBPART A**

### **Airworthiness Directives: General**

#### **39.1 Applicability**

This Part prescribes airworthiness directives that apply to aircraft, aircraft engines, propellers, or appliances (hereinafter referred to in this part as “products”) when:

- (a) An unsafe condition exists in a product; and
- (b) That condition is likely to exist or develop in other products of the same type design.

#### **39.3 General**

No person may operate a product to which an airworthiness directive applies except in accordance with the requirements of that airworthiness directive.

#### **39.5 Airworthiness directives**

All airworthiness directives issued by the state of the type design of a product related to an aircraft registered in the Arab Republic of Egypt, are considered as Egyptian airworthiness directives; in addition to the Egyptian airworthiness directives issued.

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## SUBPART B

### The Mandatory Occurrence Reporting System

#### 39.7 Subject matter and scope and applicability

1. This Regulation lays down rules on:

- (a) the reporting of occurrences which endanger or which, if not corrected or addressed, would endanger an aircraft, its occupants, any other person, equipment or installation affecting aircraft operations; and the reporting of other relevant safety-related information in that context;
- (b) analysis and follow-up action in respect of reported occurrences and other safety-related information;
- (c) the protection of aviation professionals;
- (d) appropriate use collected safety information;
- (e) the dissemination of anonymised information to interested parties for the purpose of providing such parties with the information they need in order to improve aviation safety.

2. This Regulation applies to occurrences and other safety-related information involving civil aircraft.

#### 39.9 Objectives

1. This Regulation aims to improve aviation safety by ensuring that relevant safety information relating to civil aviation is reported, collected, stored, protected, exchanged, disseminated and analyzed. This Regulation ensures:

- (a) that, where appropriate, safety action is taken in a timely manner based on analysis of the information collected;
- (b) the continued availability of safety information by introducing rules on confidentiality and on the appropriate use of information and through the harmonised and enhanced protection of reporters and persons mentioned in occurrence reports; and

2. The sole objective of occurrence reporting is the prevention of accidents and incidents and not to attribute blame or liability.

#### 39.11 Definitions

For the purposes of this Regulation the following definitions apply:

- (1) 'reporter' means a natural person who reports an occurrence or other safety-related information pursuant to this Regulation;
- (2) '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;
- (3) 'incident' An occurrence, other than an accident, associated with the operation of an aircraft which affects or could affect the safety of operation.
- (4) 'serious incident' An incident involving circumstances indicating that an accident nearly occurred.

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

(5) '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:

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 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
- 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 by ICAO.

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

(6) ‘disidentified information’ means information arising from occurrence reports from which all personal data such as names or addresses of natural persons have been removed;

(7) ‘occurrence’ means any safety-related event which endangers or which, if not corrected or addressed, could endanger an aircraft, its occupants or any other person and includes in particular an accident or serious incident;

(8) ‘organisation’ means any organisation providing aviation products and/or which employs, contracts or uses the services of persons required to report occurrences in accordance with Item 4(4);

(9) ‘anonymisation’ means the removal from occurrence reports of all personal details relating to the reporter and to the persons mentioned in occurrence reports and any details, including the name of the organisation(s) involved in the occurrence, which may reveal the identity of the reporter or of a third party or lead to that information being inferred from the occurrence report;

(10) ‘hazard’ means a situation or an object with the potential to cause death or injury to a person, damage to equipment or a structure, loss of material, or a reduction of ability to perform a prescribed function;

(11) ‘safety investigation authority’ means the permanent national civil aviation safety investigation authority conducting or supervising safety investigations.

(12) ‘just culture’ means a culture in which front-line operators or other persons are not punished for actions, omissions or decisions taken by them that are commensurate with their experience and training, but in which gross negligence, willful violations and destructive acts are not tolerated;

(13) ‘point of contact’ means: ECAA

(14) ‘interested party’ means any natural or legal person or any official body, whether or not having its own legal personality, that is in a position to participate in the improvement of aviation safety by having access to information on occurrences exchanged by the Egypt and which falls within one of the categories of interested parties set out in Annex II;

(15) ‘State Safety Programme’ means an integrated set of legal acts and activities aimed at managing civil aviation safety in Egypt;

(16) ‘safety management system’ means a systematic approach to managing aviation safety including the necessary organisational structures, accountabilities, policies and procedures, and includes any management system that, independently or integrated with other management systems of the organisation, addresses the management of safety.

### **39.13 Mandatory reporting**

Occurrences shall be immediately notified to the ECAA by telephone or telex. The report (Refer to the form on the next page for mandatory occurrence reporting system) shall be submitted within 72 hours if any of the following occurrences happen:

#### **(1) Airworthiness occurrences**

Primary structural failure;

Engine structural failure;  
Control system failure;  
Aircraft structure that requires major repair;  
Cracks, permanent deterioration or corrosion of aircraft structure, if more than the maximum acceptable to the manufacturer or to the ECASA;  
Engine(s) removed prematurely because of malfunction, failure or defect;  
Damage which necessitates repair before further flight;  
The use of any non-standard procedure by the ground crew to deal with an emergency;  
Use of incorrect oil, hydraulic fluid or other essential fluids;  
Any other failure, malfunction or defect that may endanger the safe operation of the aircraft.

## **(2) Operational occurrences**

The declaration an emergency situation  
The use of any non-standard procedure by the flight crew to deal with an emergency  
Abandoned take-off, over-running the ends, sides of the runway or go-around.  
Each interruption to a flight, unscheduled change of aircraft en route, unscheduled stop or diversion from a route caused by known or suspected difficulties or malfunctions  
The use of any non-standard procedure by the crew to deal with an emergency  
Volcanic activity.

## **(3) Flight Safety Occurrences**

Pressurization system malfunction necessitating a change in flight plan or the use of emergency or stand by oxygen system  
Fires during flight and related fire warning system is operating properly  
An engine exhaust system that causes damage during flight to the engine, adjacent structure equipment or component .  
Fuel or fuel dumping system that affects fuel flow or causes hazardous leakage during flight  
Abnormal landing gear extension or retraction, or un-programmed opening or closing of landing gear doors during flight  
Engine shutdown during flight due to flame out;  
Engine shutdown during flight due to foreign object ingestion or icing;  
Shutdown during flight of more than one engine;  
Failure in propeller feathering system or ability of the system to control over speed during flight;  
Fuel or fuel dumping system that affects fuel flow or causes hazardous leakage during flight;  
Abnormal landing gear extension or retraction, or un programmed opening or closing of landing gear doors during flight;  
Brake system components that result in loss of brake actuating force when the aircraft is in motion on the ground;  
An engine exhaust system that causes damage during flight to the engine, adjacent structure, equipment or components;  
An aircraft component that causes accumulation or circulation of smoke, vapor, toxic or noxious fumes in the crew compartment or passenger cabin during flight;  
Engine shutdown during flight when external damage to the engine or aircraft structure occurs;  
Each interruption to a flight, unscheduled change of aircraft en route, unscheduled stop or diversion from a route caused by known or suspected difficulties or malfunctions;  
Propeller feathering in flight;  
Any part of the aircraft becoming detached in flight;  
Injury to a passenger as a result of turbulence, the scalding of a number of a cabin staff as a result of faulty design, inadequate servicing or incorrect handling of galley equipment;  
Precautionary, forced, emergency or heavy landing;  
An emergency evacuation of the aircraft;  
Inability to relight or restart a serviceable engine;  
Significant leakage of fuel, hydraulic fluid or oil;

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Pressurization system malfunction necessitating a change in flight plan, or the use of emergency or standby oxygen system;  
Failure or malfunction of radio or navigational equipment beyond what is allowable in the MEL;  
A complete loss of more than one electrical power generating or hydraulic power system during a given operation of the aircraft;  
A malfunction of emergency equipment;  
Defects causing any abnormal vibration or buffeting;  
Engine surging sufficient to cause loss of power or to require subsequent remedial action;  
Abandoned take off, over-running the ends, sides of the run way or go-around;  
Occurrence of stall warning;  
Poor height keeping while operating through RVSM airspace which displays:  
Total vertical error equal to or greater than 300ft (90m);  
Altimeter system error equal to or greater than 245 ft (75 m); and  
Assigned altitude deviation equal to or greater than 300 ft (90 m).  
Incorrect fuel or cargo loading which endanger the aircraft in flight;  
Balloon envelope tear in flight;  
On a multi-engined rotorcraft, loss of drive of one engine;  
Operation of any rotorcraft transmission condition-warning system;  
Malfunction of any rotorcraft auto stabilization mode; and  
Fires during flight not protected by a related fire warning system;  
Aircraft components or systems that result in taking emergency actions during flight.  
False fire warning during flight;  
A complete loss of more than one electrical power generating or hydraulic power system during a given operation of the aircraft ;  
Pilot incapacitation during aircraft flight Phases.

**(4) Airspace occurrences**

Near collision  
Unauthorized airspace incursion  
Clearance/instruction deficiency  
Loss of separation  
Breach of other clearance  
Flight information deficiency  
Unauthorized altitude penetration  
Pilot flight planning deficiency  
TCAS Alert (RA-TA intruder relative altitude in feet relative position o'clock)

**(5) Facility malfunction**

Failure/non availability  
Excessive bends/roughness  
Readability deficiency  
Coverage/intensity deficiency  
False overhead/distance indication  
Interference  
Alignment/course deficiency  
Identification deficiency

**(6) Aerodrome occurrences**

Physical surface deficiency  
Physical obstruction  
Public protection deficiency  
Surface marking deficiency  
Equipment/installation deficiency

Wildlife incursion  
Apron management deficiency

**(7) Dangerous goods**

Spillage/leakage  
Fumes/gas/smoke/fire  
Missing / non declaration

**(8) Bird hazard**

Strike  
Near strike

**(9) Accident/incident**

In case of aircraft incidents or accidents refer to the minimum requirements mentioned in ECAR Part 801 for reporting and responsibilities. In those cases similar reporting shall be filed to the ECAA following the same requirements of the requirements of this subpart.

2. Each organisation established in Egypt shall establish a mandatory reporting system to facilitate the collection of details of occurrences as required in this regulation..

3. A list classifying occurrences to be referred to when reporting occurrences is attached to this Regulation . It includes a separate list classifying occurrences applicable to aircraft other than complex motor-powered aircraft. This list shall be a simplified version of the list referred to in subparagraph 1(a) and shall, where appropriate, be adapted to the specificities of that branch of aviation.

4. The following responsible persons shall report the occurrences to their organisations through the system established in accordance with paragraph 2 or, failing that, through the system established by ECAA:

- (a) the pilot in command, or, in cases where the pilot in command is unable to report the occurrence, any other crew member next in the chain of command of an aircraft registered in Egypt or an aircraft registered outside Egypt but used by an operator for which Egypt ensures oversight of operations or an operator established in Egypt;
- (b) a person engaged in designing, manufacturing, continuous airworthiness monitoring, maintaining or modifying an aircraft, or any equipment or part thereof, under the oversight of Egypt;
- (c) a person who performs a function which requires him or her to be authorised by Egypt as a staff member of an air traffic service provider entrusted with responsibilities related to air navigation services or as a flight information service officer;
- (d) a person who performs a function connected with the safety management of an airport;
- (e) a person who performs a function connected with the installation, modification, maintenance, repair, overhaul, flight-checking or inspection of air navigation facilities for which Egypt ensures the oversight;
- (f) a person who performs a function connected with the ground handling of aircraft, including fuelling, load sheet preparation, loading, de-icing and towing.

5. The persons listed in paragraph 4 shall report occurrences within 72 hours of becoming aware of the occurrence, unless exceptional circumstances prevent this.

6. Following notification of an occurrence, any organisation established in Egypt which is certified or approved by Civil Aviation Authority shall report to Civil Aviation Authority, the details of occurrences collected in accordance with paragraph 2 of this Item as soon as possible, and in any event no later than 72 hours after becoming aware of the occurrence.

### **39.15 Voluntary reporting**

1. Each organisation established in Egypt shall establish a voluntary reporting system to facilitate the collection of:

- (a) details of occurrences that may not be captured by the mandatory reporting system;
- (b) other safety-related information which is perceived by the reporter as an actual or potential hazard to aviation safety.

2. Egypt shall establish a voluntary reporting system to facilitate the collection of:

- (a) details of occurrences that may not be captured by the mandatory reporting system;
- (b) other safety-related information which is perceived by the reporter as an actual or potential hazard to aviation safety.

That system shall also include, but shall not be limited to, the collection of information transferred by organization pursuant to paragraph 4.

3. The voluntary reporting systems shall be used to facilitate the collection of details of occurrences and safety-related information:

- (a) not subject to mandatory reporting pursuant to Item 4(1);
- (b) reported by persons who are not listed in Item 4(4).

4. Each organisation certified or approved by the Egyptian Civil Aviation Authority shall, in a timely manner, report the details of occurrences and other safety-related information which have been collected pursuant to paragraph 1 of this Item and which may involve an actual or potential aviation safety risk.

5. Information received from voluntary and mandatory reporting may be integrated into a single system.

### **39.17 Collection and storage of information**

1. Each organisation established in Egypt shall designate one or more persons to handle independently the collection, evaluation, processing, analysis and storage of details of occurrences reported pursuant to

Items 4 and 5. The handling of the reports shall be done with a view to preventing the use of information for purposes other than safety, and shall appropriately safeguard the confidentiality of the identity of the reporter and of the persons mentioned in occurrence reports, with a view to promoting a 'just culture'.

2. By agreement with the competent authority (CAA), small organisations may put in place a simplified mechanism for the collection, evaluation, processing, analysis and storage of details of occurrences. They may share those tasks with organisations of the same nature, while complying with the rules on confidentiality and protection pursuant to this Regulation.

3. Egyptian CAA shall establish a mechanism to independently collect, evaluate, process, analyse and store details of occurrences reported pursuant to Items 4 and 5. The handling of the reports shall be done with a view to preventing the use of information for purposes other than safety, and shall appropriately safeguard the confidentiality of the identity of the reporter and of the persons mentioned in occurrence reports, with a view to promoting a 'just culture'.

4. Organisations shall store occurrence reports drawn up on the basis of details of occurrences collected in accordance with Items 4 and 4 in one or more databases.

5. The competent authority referred to in paragraph 3 shall store occurrence reports drawn up on the basis of details of occurrences collected in accordance with Items 4 and 5 in a national database.

6. Relevant information on accidents and serious incidents collected or issued by safety investigation authority shall also be stored in the national database.

7. Safety investigation authorities shall have full access to their respective national database referred to in paragraph 5 for the purpose of discharging their responsibilities pursuant to Regulation ECAR Part 801.

### **39.19 Quality and content of occurrence reports**

1. Occurrence reports referred to in Item 6 shall contain at least the information listed in Appendix 1.
  2. Occurrence reports referred to in paragraphs 4, 5 and 6 of Item 6 shall include a safety risk classification for the occurrence concerned. That classification shall be reviewed and if necessary amended, and shall be endorsed by the ECAA, in accordance with the common Egyptian risk classification scheme referred to in paragraph 5 of this Item.
  3. Organisations and ECAA shall establish data quality checking processes to improve data consistency, notably between the information collected initially and the report stored in the database.
  4. The databases referred to in paragraphs 4, 5 and 6 of Item 6 shall use formats which are:
    - (a) standardized to facilitate information exchange; and
    - (b) compatible with the ECCAIRS software and the ADREP taxonomy.
  5. ECAA shall adopt a common Egyptian risk classification scheme to enable the organisations and ECAA to classify occurrences in terms of safety risk. This scheme shall be developed.
- The ECAA shall provide support in order to contribute to the harmonisation of the data entry process across Egypt, in particular by providing to all staff working in the occurrence reporting processes:
- (a) guidance material;
  - (b) workshops; and
  - (c) appropriate training.

### **39.21 Exchange of information**

1. Egypt shall also transfer information related to accidents and serious incidents to the national Repository as follows:
  - (a) during the course of the investigation: preliminary factual information on accidents and serious incidents;
  - (b) when the investigation is completed:
    - (i) the final investigation report; and
    - (ii) when available, a summary in English of the final investigation report.
2. Egypt shall forward all pertinent safety-related information to the relevant authority of other States as soon as possible if, while collecting details of occurrences or when storing occurrence reports or carrying out an analysis in accordance with Item 11(5), it identifies safety matters which it considers either:
  - (a) to be of interest to other States; or
  - (b) to possibly require safety action to be taken by other States.

### **39.23 Processing of requests and decisions**

1. Requests for information contained in the national Repository shall be submitted using forms approved by the ECAA. Those forms shall contain at least the items set out in Appendix III.
2. ECAA when receives a request shall verify that:
  - (a) the request is made by an interested party;
  - (b) it is competent to deal with that request. Where the ECAA determines that another State is competent to deal with the request, it shall transfer it to that State, as appropriate.
3. ECAA which receives a request shall evaluate on a case-by-case basis whether the request is justified and practicable. ECAA may supply information to interested parties on paper or by using secure electronic means of communication.
4. Where the request is accepted, ECAA shall determine the amount and the level of information to be supplied. Without prejudice to Items 12 and 13, the information shall be limited to what is strictly required for the purpose of the request. Information unrelated to the interested party's own equipment, operations or field of activity shall be supplied only in aggregated or anonymised form. Information in non-aggregated form may be provided to the interested party if it provides a detailed written justification. That information shall be used in accordance with Items 12 and 13.
5. ECAA shall supply interested parties only with information relating to the interested party's own equipment, operations or field of activity.
6. ECAA receiving a request from an interested party may take a general decision to supply information on a regular basis to that interested party, provided that:

- (a) the information requested is related to the interested party's own equipment, operations or field of activity;
  - (b) the general decision does not grant access to the entire content of the database;
  - (c) the general decision relates only to anonymised information.
7. The interested party shall use the information received pursuant to this Item subject to the following conditions:
- (a) the interested party shall use the information only for the purpose specified in the request form, which should be compatible with the objective of this Regulation as stated in Item 2; and
  - (b) the interested party shall not disclose the information received without the written consent of the information provider and shall take the necessary measures to ensure appropriate confidentiality of the information received.
8. The decision to disseminate information pursuant to this Item shall be limited to what is strictly required for the purpose of its user.

### **39.25 Record of requests and exchange of information**

ECAA shall record each request received and the action taken pursuant to that request.

### **39.27 Occurrence analysis and Follow-Up at National Level**

1. Each organisation established in Egypt shall develop a process to analyse occurrences collected in accordance with Items 4(2) and 5(1) in order to identify the safety hazards associated with identified occurrences or groups of occurrences. Based on that analysis, each organisation established in Egypt shall determine any appropriate corrective or preventive action, required to improve aviation safety.
2. When, following the analysis referred to in paragraph 1, an organisation established in a Egypt identifies any appropriate corrective or preventive action required to address actual or potential aviation safety deficiencies, it shall:
- (a) implement that action in a timely manner; and
  - (b) establish a process to monitor the implementation and effectiveness of the action.
3. Each organisation established in Egypt shall regularly provide its employees and contracted personnel with information concerning the analysis of, and follow-up on, occurrences for which preventive or corrective action is taken.
4. Where an organisation established in Egypt identifies an actual or potential aviation safety risk as a result of its analysis of occurrences or group of occurrences reported pursuant to Items 4(6) and 5(3), it shall transmit to the ECAA, within 30 days from the date of notification of the occurrence by the reporter:
- (a) the preliminary results of the analysis performed pursuant to paragraph 1, if any; and
  - (b) any action to be taken pursuant to paragraph 2.
- The organisation shall report the final results of the analysis, where required, as soon as they are available and, in principle, no later than three months from the date of notification of the occurrence. ECAA may request organisations to transmit to it the preliminary or final results of the analysis of any occurrence of which it has been notified but in relation to which it has received no follow-up or only the preliminary results.
5. ECAA shall develop a process to analyse the information relating to occurrences which are directly reported to them in accordance with Items 4 and 5 in order to identify the safety hazards associated with those occurrences. Based on that analysis, they shall determine any appropriate corrective or preventive action required to improve aviation safety.
6. When, following the analysis referred to in paragraph 5, ECAA identifies any appropriate corrective or preventive action required to address actual or potential aviation safety deficiencies, it shall:
- (a) implement that action in a timely manner; and
  - (b) establish a process to monitor the implementation and effectiveness of the action.
7. For each occurrence or group of occurrences monitored in accordance with paragraph 4 or 5, ECAA shall have access to the analysis made and shall appropriately monitor action taken by the

organisations for which it is responsible. If ECAA concludes that the implementation and the effectiveness of the reported action is inappropriate to address actual or potential safety deficiencies, it shall ensure that additional appropriate action is taken and implemented by the relevant organisation.

8. Where available, information relating to the analysis and the follow-up of individual occurrences or groups of occurrences obtained pursuant to this Item shall be stored in the national Repository, in accordance with Item 6, in a timely manner and no later than two months after their storage in the national database.

9. Egypt shall use information obtained from the analysis of occurrence reports to identify remedial action to be taken, if any, within the State Safety Programme.

10. In order to inform the public of the level of safety in civil aviation, Egypt shall publish a safety review at least once a year. The safety review shall:

(a) contain aggregated and anonymised information on the type of occurrences and safety-related information reported through its national mandatory and voluntary reporting systems;

(b) identify trends;

(c) identify the action it has taken.

11. Egypt may also publish anonymised occurrence reports and risk analysis outcomes.

### **39.29 Confidentiality and appropriate use of information**

1. ECAA and organisations, in accordance with their national law, shall take the necessary measures to ensure the appropriate confidentiality of the details of occurrences received by them pursuant to Items 4, 5 .

ECAA and each organisation established in Egypt shall process personal data only to the extent necessary for the purposes of this Regulation and without prejudice to national legal acts.

2. Without prejudice to the provisions relating to the protection of safety information , information derived from occurrence reports shall be used only for the purpose for which it has been collected. Organisations shall not make available or use the information on occurrences:

(a) in order to attribute blame or liability; or

(b) for any purpose other than the maintenance or improvement of aviation safety.

3. Competent authorities of Egypt, when discharging their obligations under Item 6 in relation to the information contained in the national Repository, shall:

(a) ensure the confidentiality of the information; and

(b) limit the use of the information to what is strictly necessary in order to discharge their safety-related obligations without attributing blame or liability; in this respect, the information shall be used in particular for risk management and for analysis of safety trends which may lead to safety recommendations or actions, addressing actual or potential safety deficiencies.

4. Egypt shall ensure that their competent authorities referred to in Item 6 and their competent authorities for the administration of justice cooperate with each other through advance administrative arrangements. These advance administrative arrangements shall seek to ensure the correct balance between the need for proper administration of justice, on the one hand, and the necessary continued availability of safety information, on the other.

### **39.31 Protection of the information source**

1. For the purposes of this Item, 'personal details' includes in particular names or addresses of natural persons.

2. Each organisation established in a Egypt shall ensure that all personal details are made available to staff of that organisation other than persons designated in accordance with Item 6(1) only where absolutely necessary in order to investigate occurrences with a view to enhancing aviation safety.

Disidentified information shall be disseminated within the organisation as appropriate.

3. Egypt shall ensure that no personal details are ever recorded in the national database referred to in Item 6(3). Such disidentified information shall be made available to all relevant parties, for example to allow them to discharge their obligations in relation to aviation safety improvement.
4. Egypt shall not be prevented from taking any action necessary for maintaining or improving aviation safety.
5. Without prejudice to applicable national criminal law, Egypt shall refrain from instituting proceedings in respect of unpremeditated or inadvertent infringements of the law which come to their attention only because they have been reported pursuant to Items 4 and 5. The first subparagraph shall not apply in the cases referred to in paragraph 10. Egypt may retain or adopt measures to strengthen the protection of reporters or persons mentioned in occurrence reports. Egypt may in particular apply this rule without the exceptions referred to in paragraph 9.
6. If disciplinary or administrative proceedings are instituted under national law, information contained in occurrence reports shall not be used against:
- (a) the reporters; or
  - (b) the persons mentioned in occurrence reports. The first subparagraph shall not apply in the cases referred to in paragraph 9. Egypt may retain or adopt measures to strengthen the protection of reporters or persons mentioned in occurrence reports. Egypt may in particular extend that protection to civil or criminal proceedings.
7. Egypt may adopt or maintain in force legislative provisions ensuring a higher level of protection for reporters or for persons mentioned in occurrence reports than those established in this Regulation.
8. Except where paragraph 9 applies, employees and contracted personnel who report or are mentioned in occurrence reports collected in accordance with Items 4 and 5 shall not be subject to any prejudice by their employer or by the organisation for which the services are provided on the basis of the information supplied by the reporter.
9. The protection under paragraphs 5, 6 and 8 of this Item shall not apply to any of the following situations:
- (a) in cases of wilful misconduct;
  - (b) 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, causing foreseeable damage to a person or property, or which seriously compromises the level of aviation safety.
10. Each organisation established in Egypt shall, after consulting its staff representatives, adopt internal rules describing how 'just culture' principles, in particular the principle referred to in paragraph 8, are guaranteed and implemented within that organisation. The body designated pursuant to paragraph 11 may ask to review the internal rules of the organisations established in Egypt before those internal rules are implemented.
11. Egypt shall designate a body responsible for the implementation of paragraphs 5, 8 and 10. Employees and contracted personnel may report to that body alleged infringements of the rules established by this Item. Employees and contracted personnel shall not be penalised for reporting alleged infringements.
- Where appropriate, the designated body shall advise the relevant authorities of Egypt concerning remedies or penalties in application of Item 14.

### **39.33 Penalties**

Egypt shall lay down the rules on penalties applicable to infringements of this Regulation. The penalties provided for shall be effective, proportionate and dissuasive.

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## APPENDIX 1

### LIST OF REQUIREMENTS APPLICABLE TO THE MANDATORY AND VOLUNTARY OCCURRENCE REPORTING SCHEMES

Note: The data fields must be completed with the information requested. If it is not possible for ECAA to include that information because it has not been provided by the organisation or the reporter, the data field may be completed with the value 'unknown'. However, with a view to ensuring that the appropriate information is transmitted, use of that 'unknown' value should, to the best extent possible, be avoided, and the report should, where possible, be completed with the information later.

#### 1. COMMON MANDATORY DATA FIELDS

When entering, in their respective databases, information on every occurrence mandatorily reported and, to the best extent possible, every occurrence voluntarily reported, organisations, ECAA must ensure that occurrence reports recorded in their databases contain at least the following information:

- (a) **Headline**
  - Headline
  
- (b) **Filing Information**
  - Responsible Entity
  - File Number
  - Occurrence Status
  
- (c) **When**
  - UTC Date
  
- (d) **Where**
  - State/Area of Occurrence
  - Location of Occurrence
  
- (e) **Classification**
  - Occurrence Class
  - Occurrence Category
  
- (f) **Narrative**
  - Narrative Language
  - Narrative
  
- (g) **Events**
  - Event Type
  
- (h) **Risk classification**

#### 2. SPECIFIC MANDATORY DATA FIELDS

##### 2.1. Aircraft-related data fields

When entering, in their respective databases, information on every occurrence mandatorily reported and, to the best extent possible, every occurrence voluntarily reported, organisations, Member States and the Agency must ensure that occurrence reports recorded in their databases contain at least the following information:

- (a) **Aircraft Identification**

- 
- State of Registry
    - Make/Model/Series.
    - Aircraft serial number
    - Aircraft Registration
    - Call sign
  
  - (b) Aircraft Operation
    - Operator
    - Type of operation
  
  - (c) Aircraft Description
    - Aircraft Category
    - Propulsion Type
    - Mass Group
  
  - (d) History of Flight
    - Last Departure Point
    - Planned Destination
    - Flight Phase
  
  - (e) Weather
    - Weather relevant

## **2.2. Data fields relating to air navigation**

services When entering, in their respective databases, information on every occurrence mandatorily reported and, to the best extent possible, every occurrence voluntarily reported, organisations, Member States and the Agency must ensure that occurrence reports recorded in their databases contain at least the following information:

- (a) ATM relation
  - ATM contribution
  - Service affected (effect on ATM service)
  
- (b) ATS Unit Name

### **2.2.1. Separation Minima Infringement/Loss of Separation and Airspace Infringement-related data fields**

When entering, in their respective databases, information on every occurrence mandatorily reported and, to the best extent possible, every occurrence voluntarily reported, organisations, Member States and the Agency must ensure that occurrence reports recorded in their databases contain at least the following information:

- (a) Airspace
  - Airspace type
  - Airspace class
  - FIR/UIR name

### **2.3. Aerodrome-related data fields**

When entering, in their respective databases, information on every occurrence mandatorily reported and, to the best extent possible, every occurrence voluntarily reported, organisations, Member States and the Agency must ensure that occurrence reports recorded in their databases contain at least the following information:

- (a) Location Indicator (ICAO indicator of the airport)

## (b) Location on the aerodrome

**2.4. Aircraft damage or personal injury-related data fields**

When entering, in their respective databases, information on every occurrence mandatorily reported and, to the best extent possible, every occurrence voluntarily reported, organisations, Member States and the Agency must ensure that occurrence reports recorded in their databases contain at least the following information:

## (a) Severity

- Highest Damage
- Injury Level

## (b) Injuries to persons

- Number of injuries on ground (fatal, serious, minor)
- Number of injuries on aircraft (fatal, serious, minor)

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**APPENDIX II**  
**REQUEST FOR INFORMATION FROM THE EGYPTIAN REPOSITORY**

1. Name:  
Function/position:  
Company:  
Address:  
Tel.:  
E-mail:  
Date:  
Nature of business:  
Category of interested party (see Appendix II)

2. Information requested (please be as specific as possible; include the relevant date/period in which you are interested):

3. Reason for the request:

4. Explain the purpose for which the information will be used:

5. Date by which the information is requested:

6. The completed form should be sent, via e-mail, to: (ECAA)

7. Access to information ECAA is not required to supply any requested information. It may do so only if it is confident that the request is compatible with Regulation (EU) No 376/2014. The requestor commits itself and its organisation to restrict the use of the information to the purpose it has described under point d. It is also recalled that information provided on the basis of this request is made available only for the purposes of flight safety as provided in Regulation (EU) No 376/2014 and not for other purposes such as, in particular, attributing blame or liability or for commercial purposes. The requestor is not allowed to disclose information provided to it to anyone without the written consent of the point of contact. Failure to comply with these conditions may lead to a refusal of access to further information from the European Central Repository and, where applicable, to the imposition of penalties.

8. Date, place and signature:

Complete all sections where information is relevant  
For multi-choice boxes, indicate which entry is appropriate

<b>Date Received by ECAA</b>	<b>ECAA Occurrence No.</b>
------------------------------	----------------------------

Aircraft Type and Series	Registration	Operator	Date of Occurrence			<b>Flight Phase</b>	<b>Nature of flight</b>																																																														
<b>FLIGHT AND WEATHER DETAILS</b>						PARKED	SCHIED PAX																																																														
						TAXYING	NON-SCHED PAX																																																														
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">Flight No.</td> <td style="width: 10%;">DAY NIGHT TWILIGHT</td> <td style="width: 10%;">WIND</td> <td style="width: 10%;">Runway</td> <td colspan="2" style="width: 20%;">Precipitation</td> <td style="width: 10%;">Icing</td> <td style="width: 10%;">Turbulence</td> </tr> <tr> <td>From</td> <td rowspan="2">TIME GMT</td> <td rowspan="2">IAS Kts</td> <td>Used</td> <td>RAIN</td> <td>LIGHT</td> <td>LIGHT</td> <td>LIGHT</td> </tr> <tr> <td>To</td> <td>State</td> <td>SNOW</td> <td>MOD</td> <td>MOD</td> <td>MOD</td> <td>MOD</td> </tr> <tr> <td>Geog. Position</td> <td rowspan="2">VISIBILITY</td> <td rowspan="2">Height Ft</td> <td>DRY</td> <td>SLEET</td> <td>HEAVY</td> <td>HEAVY</td> <td>SEVERE</td> </tr> <tr> <td></td> <td>O.A.T. ° C</td> <td>WET</td> <td>HAIL</td> <td></td> <td></td> <td>EXTREME</td> </tr> <tr> <td colspan="4"></td> <td colspan="2">Cloud Type</td> <td colspan="2"></td> </tr> <tr> <td colspan="4"></td> <td colspan="2">Height / Ft</td> <td colspan="2"></td> </tr> <tr> <td colspan="4"></td> <td colspan="2">Amount / 8ths</td> <td colspan="2"></td> </tr> </table>						Flight No.	DAY NIGHT TWILIGHT	WIND	Runway	Precipitation		Icing	Turbulence	From	TIME GMT	IAS Kts	Used	RAIN	LIGHT	LIGHT	LIGHT	To	State	SNOW	MOD	MOD	MOD	MOD	Geog. Position	VISIBILITY	Height Ft	DRY	SLEET	HEAVY	HEAVY	SEVERE		O.A.T. ° C	WET	HAIL			EXTREME					Cloud Type								Height / Ft								Amount / 8ths				TAKE-OFF	SCHED FREIGHT
						Flight No.	DAY NIGHT TWILIGHT	WIND	Runway	Precipitation		Icing	Turbulence																																																								
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						CRUISE	PLEASURE																																																														
						DESCENT	AGRICULTURAL																																																														
						HOLDING	BUSINESS																																																														
						APPROACH	CLUB / GROUP																																																														
						LANDING	PRIVATE																																																														
						CIRCUIT	POSITIONING																																																														
						AEROBATICS	FERRY																																																														
						HOVER	TEST																																																														
							TRAINING																																																														

**DESCRIPTION**

<b>ENGINEERING DETAILS</b>	<b>Constructor No</b>	<b>Engine Type &amp; Series</b>	<b>Ground phase</b>	Maintenance <input type="checkbox"/>	<b>Ground Handling</b> <input type="checkbox"/>	
				Unattended <input type="checkbox"/>	Taxying <input type="checkbox"/>	
Component / Part	Location on aircraft	Manual Reference	Overhaul / Repair Agency	Maintenance Program		
				OC	CM	HT
Manufacturer	Part No.	Serial No.	Hours / Cycle / Landings	Total	Since	Overhaul/ Repair/ Inspection

Any published Airworthiness information relevant to occurrence (e.g. Mod / Insp. / Repair) plus compliance status of aircraft or equipment

Organization	Address and Tel. No.		
Position			
Reference No.	Date	Name	Signature

Issue Service Difficulty Report (SDR) for those item which will be considered incomplete or left open for corrective action.