

Regulation (EU) No 376/2014 of the European Parliament and of the Council of 3 April 2014 on the reporting, analysis and follow-up of occurrences in civil aviation, amending Regulation (EU) No 996/2010 of the European Parliament and of the Council and repealing Directive 2003/42/EC of the European Parliament and of the Council and Commission Regulations (EC) No 1321/2007 and (EC) No 1330/2007 (Text with EEA relevance)

Article 1

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 analysed.

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
- c that aviation safety risks are considered and dealt with ^{F1}...

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

Textual Amendments

- F1** Words in Art. 1(1)(c) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/645), regs. 1, 60 (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 2

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’ means an incident within the meaning of Regulation (EU) No 996/2010;
- (4) ‘serious incident’ means a serious incident within the meaning of Regulation (EU) No 996/2010;
- (5) ‘accident’ means an accident within the meaning of Regulation (EU) No 996/2010;

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- (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 Article 4(6);
- (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 as referred to in Article 4 of Regulation (EU) No 996/2010;
- (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, wilful violations and destructive acts are not tolerated;
- (13) ^{F2}
- (14) ^{F2}
- (15) ‘State Safety Programme’ means an integrated set of legal acts and activities aimed at managing civil aviation safety in [^{F3}the United Kingdom];
- (16) ^{F4}
- (17) ^{F4}
- (18) ‘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;
- (19) [^{F5}‘the CAA’ means the Civil Aviation Authority.]

Textual Amendments

- F2** Art. 2(13)(14) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **61(2)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) No 376/2014 of the European Parliament and of the Council. (See end of Document for details)

- F3** Words in Art. 2(15) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **61(3)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F4** Art. 2(16)(17) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **61(4)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F5** Art. 2(19) inserted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **61(5)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 3

Subject matter and scope

- 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;
 - ^{F6}e ; and
 - f 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.

^{F72} This Regulation applies to occurrences and other safety-related information involving civil aircraft to which Regulation (EU) 2018/1139 of the European Parliament and of the Council⁽¹⁾ applies.

However, this Regulation shall not apply to occurrences and other safety-related information involving unmanned aircraft for which a certificate or declaration is not required pursuant to Article 56(1) and (5) of Regulation (EU) 2018/1139, unless the occurrence or other safety-related information involving such unmanned aircraft resulted in a fatal or serious injury to a person or it involved aircraft other than unmanned aircraft.

^{F8}[The Secretary of State] may decide to apply this Regulation also to occurrences and other safety-related information involving the aircraft to which Regulation (EU) 2018/1139 does not apply.]

Textual Amendments

- F6** Art. 3(1)(e) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **62(2)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F7** Substituted by [Regulation \(EU\) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations \(EC\) No 2111/2005, \(EC\) No 1008/2008, \(EU\) No 996/2010,](#)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) No 376/2014 of the European Parliament and of the Council. (See end of Document for details)

(EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 (Text with EEA relevance).

F8 Words in Art. 3(2) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **62(3)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 4

Mandatory reporting

1 Occurrences which may represent a significant risk to aviation safety and which fall into the following categories shall be reported by the persons listed in paragraph 6 through the mandatory occurrence reporting systems pursuant to this Article:

- a occurrences related to the operation of the aircraft, such as:
 - (i) collision-related occurrences;
 - (ii) take-off and landing-related occurrences;
 - (iii) fuel-related occurrences;
 - (iv) in-flight occurrences;
 - (v) communication-related occurrences;
 - (vi) occurrences related to injury, emergencies and other critical situations;
 - (vii) crew incapacitation and other crew-related occurrences;
 - (viii) meteorological conditions or security-related occurrences;
- b occurrences related to technical conditions, maintenance and repair of aircraft, such as:
 - (i) structural defects;
 - (ii) system malfunctions;
 - (iii) maintenance and repair problems;
 - (iv) propulsion problems (including engines, propellers and rotor systems) and auxiliary power unit problems;
- c occurrences related to air navigation services and facilities, such as:
 - (i) collisions, near collisions or potential for collisions;
 - (ii) specific occurrences of air traffic management and air navigation services (ATM/ANS);
 - (iii) ATM/ANS operational occurrences;
- d occurrences related to aerodromes and ground services, such as:
 - (i) occurrences related to aerodrome activities and facilities;
 - (ii) occurrences related to handling of passengers, baggage, mail and cargo;
 - (iii) occurrences related to aircraft ground handling and related services.

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2 Each organisation established in [F⁹the United Kingdom] shall establish a mandatory reporting system to facilitate the collection of details of occurrences referred to in paragraph 1.

3 [F¹⁰The CAA] shall establish a mandatory reporting system to facilitate the collection of details of occurrences including the collection of details of occurrences collected by organisations pursuant to paragraph 2.

F¹¹4

5 The [F¹²Secretary of State] shall, by means of [F¹³regulations], adopt a list classifying occurrences to be referred to when reporting occurrences pursuant to paragraph 1. Those [F¹³regulations] shall be adopted in accordance with the examination procedure referred to in Article 19(2).

The [F¹⁴Secretary of State] shall include in those [F¹⁵regulations] a separate list classifying occurrences applicable to aircraft other than complex motor-powered aircraft. The list shall be a simplified version of the list referred to in the first subparagraph and shall, where appropriate, be adapted to the specificities of that branch of aviation.

6 The following natural persons shall report the occurrences referred to in paragraph 1 through the system established in accordance with paragraph 2 by the organisation which employs, contracts or uses the services of the reporter or, failing that, through the system established in accordance with paragraph 3 by the [F¹⁶CAA]:

- 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 [F¹⁷the United Kingdom] or an aircraft registered outside the [F¹⁸United Kingdom] but used by an operator for which [F¹⁷the United Kingdom] ensures oversight of operations or an operator established in the [F¹⁸United Kingdom];
- 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 [F¹⁹the CAA];
- c a person who signs an airworthiness review certificate, or a release to service in respect of an aircraft or any equipment or part thereof, under the oversight of [F²⁰the CAA];
- d a person who performs a function which requires him or her to be authorised by [F²¹the CAA] 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;
- e a person who performs a function connected with the safety management of an airport to which Regulation (EC) No 1008/2008 of the European Parliament and of the Council⁽²⁾ applies;
- f a person who performs a function connected with the installation, modification, maintenance, repair, overhaul, flight-checking or inspection of air navigation facilities for which [F²²the CAA] ensures the oversight;
- g a person who performs a function connected with the ground handling of aircraft, including fuelling, loadsheet preparation, loading, de-icing and towing at an airport covered by Regulation (EC) No 1008/2008.

7 The persons listed in paragraph 6 shall report occurrences within 72 hours of becoming aware of the occurrence, unless exceptional circumstances prevent this.

8 Following notification of an occurrence, any organisation established in [F²³the United Kingdom] shall report to the [F²⁴the CAA] the details of occurrences collected in accordance with paragraph 2 of this Article as soon as possible, and in any event no later than 72 hours after becoming aware of the occurrence.

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) No 376/2014 of the European Parliament and of the Council. (See end of Document for details)

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Textual Amendments

- F9** Words in Art. 4(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **63(2)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F10** Words in Art. 4(3) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **63(3)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F11** Art. 4(4) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **63(4)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F12** Words in Art. 4(5) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **63(5)(a)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F13** Word in Art. 4(5) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **63(5)(a)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F14** Words in Art. 4(5) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **63(5)(b)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F15** Word in Art. 4(5) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **63(5)(b)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F16** Words in Art. 4(6) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **63(6)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F17** Words in Art. 4(6)(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **63(6)(b)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F18** Words in Art. 4(6)(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **63(6)(b)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F19** Words in Art. 4(6)(b) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **63(6)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F20** Words in Art. 4(6)(c) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **63(6)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F21** Words in Art. 4(6)(d) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **63(6)(d)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F22** Words in Art. 4(6)(f) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **63(6)(d)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F23** Words in Art. 4(8) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **63(7)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F24** Words in Art. 4(8) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **63(7)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

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F25 Art. 4(9) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **63(8)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 5

Voluntary reporting

1 Each organisation established in [^{F26}the United Kingdom] 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 [^{F27}The CAA] 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 organisations pursuant to paragraph 6.

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4 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 Article 4(1);
- b reported by persons who are not listed in Article 4(6).

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6 Each organisation established in [^{F30}the United Kingdom] shall, in a timely manner, report to the [^{F31}the CAA], the details of occurrences and other safety-related information which have been collected pursuant to paragraph 1 of this Article and which may involve an actual or potential aviation safety risk. [^{F32}The CAA] may require any organisation established in [^{F33}the United Kingdom] to report the details of all occurrences collected pursuant to paragraph 1 of this Article.

7 [^{F34}The CAA] and organisations may establish other safety information collection and processing systems to collect details of occurrences that might not be captured by the reporting systems referred to in Article 4 and in [^{F35}paragraphs 1 and 2] of this Article. Those systems may include reporting to entities other than [^{F36}the CAA] and may involve the active participation of:

- a the aviation industry;
- b professional organisations of aviation staff.

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

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Textual Amendments

- F26** Words in Art. 5(1) substituted (31.12.2020) by *The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019* (S.I. 2019/645), regs. 1, **64(2)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F27** Words in Art. 5(2) substituted (31.12.2020) by *The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019* (S.I. 2019/645), regs. 1, **64(3)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F28** Art. 5(3) omitted (31.12.2020) by virtue of *The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019* (S.I. 2019/645), regs. 1, **64(4)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F29** Art. 5(5) omitted (31.12.2020) by virtue of *The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019* (S.I. 2019/645), regs. 1, **64(4)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F30** Words in Art. 5(6) substituted (31.12.2020) by *The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019* (S.I. 2019/645), regs. 1, **64(5)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F31** Words in Art. 5(6) substituted (31.12.2020) by *The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019* (S.I. 2019/645), regs. 1, **64(5)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F32** Words in Art. 5(6) substituted (31.12.2020) by *The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019* (S.I. 2019/645), regs. 1, **64(5)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F33** Words in Art. 5(6) substituted (31.12.2020) by *The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019* (S.I. 2019/645), regs. 1, **64(5)(d)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F34** Words in Art. 5(7) substituted (31.12.2020) by *The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019* (S.I. 2019/645), regs. 1, **64(6)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F35** Words in Art. 5(7) substituted (31.12.2020) by *The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019* (S.I. 2019/645), regs. 1, **64(6)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F36** Words in Art. 5(7) substituted (31.12.2020) by *The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019* (S.I. 2019/645), regs. 1, **64(6)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 6

Collection and storage of information

1 Each organisation established in [^{F37}the United Kingdom] shall designate one or more persons to handle independently the collection, evaluation, processing, analysis and storage of details of occurrences reported pursuant to Articles 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 [^{F38}CAA], small organisations may put in place a simplified mechanism for the collection, evaluation, processing, analysis and storage of details of

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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 ^{F39}The CAA must] establish a mechanism to independently collect, evaluate, process, analyse and store details of occurrences reported pursuant to Articles 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’.

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F41 4

5 Organisations shall store occurrence reports drawn up on the basis of details of occurrences collected in accordance with Articles 4 and 5 in one or more databases.

6 The ^{F42}CAA] shall store occurrence reports drawn up on the basis of details of occurrences collected in accordance with Articles 4 and 5 in a national database.

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

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9 ^{F44}The safety investigation authority] shall have full access to ^{F45}the] national database referred to in paragraph 6 for the purpose of discharging ^{F46}its] responsibilities pursuant to Article 5(4) of Regulation (EU) No 996/2010.

^{F47}10 The CAA is to have full access to the national database referred to in paragraph 6 for the purposes of its safety-related responsibilities.]

Textual Amendments

- F37** Words in Art. 6(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **65(2)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F38** Word in Art. 6(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **65(3)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F39** Words in Art. 6(3) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **65(4)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F40** Words in Art. 6(3) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **65(4)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F41** Art. 6(4) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **65(5)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F42** Words in Art. 6(6) substituted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **65(6)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) No 376/2014 of the European Parliament and of the Council. (See end of Document for details)

- F43** Art. 6(8) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **65(7)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F44** Words in Art. 6(9) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **65(8)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F45** Word in Art. 6(9) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **65(8)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F46** Word in Art. 6(9) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **65(8)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F47** Art. 6(10) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **65(9)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 7

Quality and content of occurrence reports

1 Occurrence reports referred to in Article 6 shall contain at least the information listed in Annex I.

2 Occurrence reports referred to in paragraphs 5, 6 and 8 of Article 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 competent authority of the Member State or the Agency, in accordance with the common European risk classification scheme referred to in paragraph 5 of this Article.

3 [^{F48}Organisations and the CAA] 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 [^{F49}paragraphs 5 and 6] of Article 6 shall use formats which are:

- a standardised to facilitate information exchange; and
- b compatible with the ECCAIRS software and the ADREP taxonomy.

[^{F50}The CAA must develop a risk classification scheme to enable organisations and the CAA to classify occurrences in terms of safety risk. In so doing, the CAA must take into account the need for compatibility with existing risk classification schemes.]

^{F51}6

^{F51}7

^{F51}8

Textual Amendments

- F48** Words in Art. 7(3) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **66(2)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) No 376/2014 of the European Parliament and of the Council. (See end of Document for details)

- F49** Words in Art. 7(4) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **66(3)** (as substituted by S.I. 2019/1098, regs. 1(3), 3); 2020 c. 1, Sch. 5 para. 1(1)
- F50** Art. 7(5) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **66(4)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F51** Art. 7(6)(7)(8) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **66(5)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F52 Article 8

European Central Repository

.....

Textual Amendments

- F52** Art. 8 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **67(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F53 Article 9

Exchange of information

.....

Textual Amendments

- F53** Art. 9 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **67(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F54 Article 10

Dissemination of information stored in the European Central Repository

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Textual Amendments

- F54** Art. 10 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **67(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) No 376/2014 of the European Parliament and of the Council. (See end of Document for details)

^{F55}Article 11

Processing of requests and decisions

Textual Amendments

F55 Art. 11 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **67(d)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

^{F56}Article 12

Record of requests and exchange of information

Textual Amendments

F56 Art. 12 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **67(e)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 13

Occurrence analysis and follow-up ^{F57}...

1 Each organisation established in [^{F58}the United Kingdom] shall develop a process to analyse occurrences collected in accordance with Articles 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 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 [^{F59}the United Kingdom] 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 [^{F60}the United Kingdom] 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 [^{F61}the United Kingdom] identifies an actual or potential aviation safety risk as a result of its analysis of occurrences or group of occurrences reported pursuant to Articles 4(8) and 5(6), it shall transmit to [^{F62}the CAA], within 30 days from the date of notification of the occurrence by the reporter:

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- 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.

[^{F63}The CAA] 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.

^{F64}5

6 [^{F65}The CAA] shall develop a process to analyse the information relating to occurrences which are directly reported to them in accordance with [^{F66}Articles 4(6) and 5(2)] 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.

7 When, following the analysis referred to in paragraph 6, [^{F67}the CAA] 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.

8 For each occurrence or group of occurrences monitored in accordance with paragraph 4 or 5, [^{F68}the CAA] shall have access to the analysis made and shall appropriately monitor action taken by the organisations for which it is respectively responsible.

If [^{F69}the CAA] 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.

^{F70}9

10 [^{F71}The Secretary of State and the CAA] shall use information obtained from the analysis of occurrence reports to identify remedial action to be taken, if any, within the State Safety Programme.

11 In order to inform the public of the level of safety in civil aviation, [^{F72}the CAA] 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.

12 [^{F73}The CAA] may also publish anonymised occurrence reports and risk analysis outcomes.

Textual Amendments

F57 Words in Art. 13 heading omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **68(2)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) No 376/2014 of the European Parliament and of the Council. (See end of Document for details)

- F58** Words in Art. 13(1) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **68(3)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F59** Words in Art. 13(2) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **68(3)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F60** Words in Art. 13(3) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **68(3)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F61** Words in Art. 13(4) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **68(4)(a)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F62** Words in Art. 13(4) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **68(4)(a)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F63** Words in Art. 13(4) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **68(4)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F64** Art. 13(5) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **68(5)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F65** Words in Art. 13(6) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **68(6)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F66** Words in Art. 13(6) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **68(6)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F67** Words in Art. 13(7) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **68(7)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F68** Words in Art. 13(8) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **68(8)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F69** Words in Art. 13(8) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **68(8)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F70** Art. 13(9) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **68(9)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F71** Words in Art. 13(10) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **68(10)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F72** Words in Art. 13(11) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **68(11)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F73** Words in Art. 13(12) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **68(12)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) No 376/2014 of the European Parliament and of the Council. (See end of Document for details)

^{F74}Article 14

Occurrence analysis and follow up at Union level

Textual Amendments

- F74** Art. 14 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **69** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 15

Confidentiality and appropriate use of information

1 [^{F75}The CAA] and organisations, in accordance with ^{F76}... national law, ^{F77}... shall take the necessary measures to ensure the appropriate confidentiality of the details of occurrences received by them pursuant to [^{F78}Articles 4 and 5].

[^{F79}The CAA and] each organisation established in [^{F80}the United Kingdom] shall process personal data only to the extent necessary for the purposes of this Regulation and without prejudice to [^{F81}data protection legislation within the meaning of section 3(9) of the Data Protection Act 2018 (c.12)].

2 Without prejudice to the provisions relating to the protection of safety information in Articles 12, 14 and 15 of Regulation (EU) No 996/2010, information derived from occurrence reports shall be used only for the purpose for which it has been collected.

[^{F82}The CAA] and 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.

^{F83}3

4 [^{F84}The CAA and] competent authorities for the administration of justice [^{F85}must] 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.

Textual Amendments

- F75** Words in Art. 15(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **70(2)(a)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F76** Word in Art. 15(1) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **70(2)(a)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) No 376/2014 of the European Parliament and of the Council. (See end of Document for details)

- F77** Words in Art. 15(1) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **70(2)(a)(iii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F78** Words in Art. 15(1) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **70(2)(a)(iv)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F79** Words in Art. 15(1) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **70(2)(b)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F80** Words in Art. 15(1) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **70(2)(b)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F81** Words in Art. 15(1) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **70(2)(b)(iii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F82** Words in Art. 15(2) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **70(3)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F83** Art. 15(3) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **70(4)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F84** Words in Art. 15(4) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **70(5)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F85** Word in Art. 15(4) inserted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **70(5)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 16

Protection of the information source

1 For the purposes of this Article, ‘personal details’ includes in particular names or addresses of natural persons.

2 Each organisation established in [^{F86}the United Kingdom] shall ensure that all personal details are made available to staff of that organisation other than persons designated in accordance with Article 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 [^{F87}The CAA] shall ensure that no personal details are ever recorded in the national database referred to in Article 6(6). 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.

^{F88}4

5 [^{F89}The CAA] shall not be prevented from taking any action necessary for maintaining or improving aviation safety.

6 Without prejudice to applicable national criminal law, [^{F90}the CAA] shall refrain from instituting proceedings in respect of unpremeditated or inadvertent infringements of the law

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which come to [F91:its attention] only because they have been reported pursuant to Articles 4 and 5.

The first subparagraph shall not apply in the cases referred to in paragraph 10. [F92:The Secretary of State] may retain or adopt measures to strengthen the protection of reporters or persons mentioned in occurrence reports. [F93:The Secretary of State and the CAA] may in particular apply this rule without the exceptions referred to in paragraph 10.

7 If disciplinary or administrative proceedings are instituted ^{F94}..., 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 10.

[F95:The Secretary of State] may retain or adopt measures to strengthen the protection of reporters or persons mentioned in occurrence reports. [F95:The Secretary of State] may in particular extend that protection to civil or criminal proceedings.

8 [F96:The Secretary of State] 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.

9 Except where paragraph 10 applies, employees and contracted personnel who report or are mentioned in occurrence reports collected in accordance with Articles 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.

10 The protection under paragraphs 6, 7 and 9 of this Article 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.

11 Each organisation established in [F97:the United Kingdom] shall, after consulting its staff representatives, adopt internal rules describing how ‘just culture’ principles, in particular the principle referred to in paragraph 9, are guaranteed and implemented within that organisation.

The [F98:CAA] may ask to review the internal rules of the organisations established in [F99:the United Kingdom] before those internal rules are implemented.

12 [F100:The CAA is] responsible for the implementation of paragraphs 6, 9 and 11.

Employees and contracted personnel may report to [F101:the CAA] alleged infringements of the rules established by this Article. Employees and contracted personnel shall not be penalised for reporting alleged infringements. ^{F102}...

F103 ...

F104 13

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) No 376/2014 of the European Parliament and of the Council. (See end of Document for details)

Textual Amendments

- F86** Words in Art. 16(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **71(2)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F87** Words in Art. 16(3) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **71(3)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F88** Art. 16(4) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **71(4)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F89** Words in Art. 16(5) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **71(5)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F90** Words in Art. 16(6) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **71(6)(a)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F91** Words in Art. 16(6) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **71(6)(a)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F92** Words in Art. 16(6) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **71(6)(b)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F93** Words in Art. 16(6) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **71(6)(b)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F94** Words in Art. 16(7) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **71(7)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F95** Words in Art. 16(7) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **71(7)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F96** Words in Art. 16(8) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **71(8)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F97** Words in Art. 16(11) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **71(9)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F98** Word in Art. 16(11) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **71(9)(b)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F99** Words in Art. 16(11) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **71(9)(b)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F100** Words in Art. 16(12) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **71(10)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F101** Words in Art. 16(12) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **71(10)(b)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) No 376/2014 of the European Parliament and of the Council. (See end of Document for details)

- F102** Words in Art. 16(12) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **71(10)(b)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F103** Words in Art. 16(12) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **71(10)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F104** Art. 16(13) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **71(11)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 17

Updating of the [F105annex]

[F106The Secretary of State may make regulations] in order to:

- (a) update the list of mandatory data fields in occurrence reports laid down in Annex I where, in the light of experience gained in the application of this Regulation, changes prove necessary in order to improve aviation safety;
- (b) **F107** ...
- (c) align [F108Annex 1] with the ECCAIRS software and the ADREP taxonomy, as well as with legal acts adopted by the [F109Secretary of State] and with international agreements.

With a view to updating the list of mandatory fields, the [F110CAA] shall provide the [F111Secretary of State] with appropriate opinion(s).

Textual Amendments

- F105** Word in Art. 17 heading substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **72(2)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F106** Words in Art. 17 substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **72(3)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F107** Art. 17(b) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **72(3)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F108** Words in Art. 17(c) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **72(3)(c)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F109** Words in Art. 17(c) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **72(3)(c)(iii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F110** Word in Art. 17 substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **72(4)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F111** Words in Art. 17 substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **72(4)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) No 376/2014 of the European Parliament and of the Council. (See end of Document for details)

^{F112}Article 18

Exercise of the delegation

Textual Amendments

F112 Art. 18 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **73** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

^{F113}Article 19

Parliamentary procedure

- 1 Regulations made by the Secretary of State under this Regulation are to be made by statutory instrument.
- 2 Regulations made by the Secretary of State under this Regulation are to be subject to annulment in pursuance of a resolution of either House of Parliament.
- 3 Regulations made under this Regulation may—
 - a make different provision for different purposes or areas;
 - b include supplementary, incidental or consequential provision;
 - c make transitional, transitory or saving provision.]

Textual Amendments

F113 Art. 19 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **74** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 20

Access to documents and protection of personal data

^{F114}₁

- 2 This Regulation shall apply without prejudice to [^{F115}data protection legislation within the meaning of section 3(9) of the Data Protection Act 2018 (c.12)].

Textual Amendments

F114 Art. 20(1) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **75(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) No 376/2014 of the European Parliament and of the Council. (See end of Document for details)

F115 Words in Art. 20(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **75(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F116 Article 21

Penalties

Textual Amendments

F116 Art. 21 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **76** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 22

Amendment to Regulation (EU) No 996/2010

Article 19 of Regulation (EU) No 996/2010 is deleted.

However, that Article shall remain applicable until the date of application of this Regulation in accordance with Article 24(3).

Article 23

Repeals

Directive 2003/42/EC, Regulation (EC) No 1321/2007 and Regulation (EC) No 1330/2007 are repealed. They shall remain applicable until the date of application of this Regulation in accordance with Article 24(3).

Article 24

Entry into force and application

1 This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

^{F117}2

3 This Regulation shall apply from 15 November 2015 and not before the entry into force of the implementing measures referred to in Article 4(5). ^{F118}...

Textual Amendments

F117 Art. 24(2) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **77(2)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) No 376/2014 of the European Parliament and of the Council. (See end of Document for details)

F118 Words in Art. 24(3) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **77(3)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F119
...

Textual Amendments

F119 Words in [Signature](#) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **78** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) No 376/2014 of the European Parliament and of the Council. (See end of Document for details)

- (1) [^{F7}Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 (OJ L 212, 22.8.2018, p. 1).]
- (2) Regulation (EC) No 1008/2008 of the European Parliament and of the Council of 24 September 2008 on common rules for the operation of air services in the Community (OJ L 293, 31.10.2008, p. 3).

Textual Amendments

- F7** Substituted by Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 (Text with EEA relevance).

Changes to legislation:

There are currently no known outstanding effects for the Regulation (EU) No 376/2014 of the European Parliament and of the Council.