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STATUTORY INSTRUMENTS

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**2021 No. 1203**

**The Aviation Safety (Amendment) (No. 3) Regulations 2021**

**PART 3**

Amendment of retained direct minor EU legislation

CHAPTER 1

Amendment of [Commission Regulation \(EC\) No 1178/2011](#)

**Amendment of Annex 7 to [Commission Regulation \(EU\) No 1178/2011](#)**

6.—(1) Annex 7 (Part-ORA) is amended as follows.

(2) For point ORA.GEN.160 substitute—

**“ORA.GEN.160 Occurrence reporting**

- (a) As part of its management system, the organisation shall establish and maintain an occurrence-reporting system, including mandatory and voluntary reporting. For organisations having their principal place of business in the United Kingdom, that system shall meet the requirements of [Regulation \(EU\) No 376/2014](#) on the reporting, analysis and follow up of occurrences in civil aviation<sup>(1)</sup> and Regulation (EU) 2018/1139 on common rules in the field of civil aviation<sup>(2)</sup> as well as any regulations made under either of those Regulations or any implementing or delegated acts under or pursuant to [Regulation \(EU\) No 376/2014](#) and Regulation (EU) 2018/1139 before IP completion day.
- (b) The organisation shall report to the CAA and, in case of aircraft not registered in the United Kingdom, the State of Registry, any safety-related event or condition that endangers or, if not corrected or addressed, could endanger an aircraft, its occupants or any other person, and in particular any accident or serious incident.
- (c) Without prejudice to point (b), the organisation shall report to the CAA and the design approval holder of the aircraft any incident, malfunction, technical defect, exceeding of technical limitations, occurrence that would highlight inaccurate, incomplete or ambiguous information, contained in data established in accordance with [Regulation \(EU\) No 748/2012](#), or other irregular circumstance that has or may have endangered an aircraft, its occupants or any other person and has not resulted in an accident or serious incident.
- (d) Without prejudice to [Regulation \(EU\) No 376/2014](#), or any regulations made under that Regulation, reports in accordance with point (c) shall:
  - (1) be made as soon as practicable, but in any case, no later than 72 hours after the organisation has identified the event or condition to which the report relates unless exceptional circumstances prevent this;
  - (2) be made in a form and manner established by the CAA, as defined in point ORA.GEN.105;

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(1) OJ No. L 122, 24.4.2014, p.18-43.

(2) OJ No. L 212, 22.8.2018, p.1-122.

- (3) contain all pertinent information about the condition known to the organisation.
- (e) For organisations not having their principal place of business in the United Kingdom:
  - (1) initial mandatory reports shall:
    - (i) appropriately safeguard the confidentiality of the identity of the reporter and of the persons mentioned in the report;
    - (ii) be made as soon as practicable, but in any case, no later than 72 hours after the organisation has become aware of the occurrence unless exceptional circumstances prevent this;
    - (iii) be made in a form and manner established by the CAA;
    - (iv) contain all pertinent information about the condition known to the organisation;
  - (2) where relevant, a follow-up report providing details of actions the organisation intends to take to prevent similar occurrences in the future shall be made as soon as those actions have been identified; those follow-up reports shall:
    - (i) be sent to relevant entities initially reported to in accordance with points (b) and (c);
    - (ii) be made in a form and manner established by the CAA.”.
- (3) In point ORA.GEN.200(a), for point (7) substitute—

“(7) any additional relevant requirements prescribed in Regulation (EU) 2018/1139 on common rules in the field of civil aviation or [Regulation \(EU\) No 376/2014](#) on the reporting, analysis and follow up of occurrences in civil aviation, or any regulations made under either of those Regulations or any implementing or delegated acts under or pursuant to [Regulation \(EU\) No 376/2014](#) and Regulation (EU) 2018/1139 before IP completion day.”.