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Safety recommendation: AIC 16-R02/15-2028

Addressed to: Civil Aviation Safety Authority of PNG

Date issued: 2 June 2016

Investigation link: AIC 15-2028

Action status: Issued

Safety deficiency description

On 21 August 2015, at 02:47 (UTC)¹ a Fokker F27 Mk 050 (F50) registered P2-TAE (TAE) operated by Travel Air and a Bombardier DHC-8-102 (Dash 8) registered P2-MCW (MCW) operated by Airlines PNG, were involved in a breakdown of separation about 9.5 nm (17.5 km) northwest of Lae (Morobe Province).

During the Accident Investigation Commission's (AIC) investigation, the crew of MCW reported that shortly after they had levelled off at 8,000 ft and were above cloud, they received a traffic alert and collision-avoidance system² (TCAS) Traffic Alert (TA), followed by a Resolution Advisory (RA) instruction, and observed TAE descending to within 600 ft vertical separation with MCW. They took immediate (visual) evasive manoeuvring action to avoid TAE, based on the RA instruction. ‘

The pilot in command (PIC) of MCW submitted a report to the Airlines PNG Safety and Quality Management Group on the day after the serious incident, 22 August 2015 when he returned to Port Moresby. He did not report the serious incident to the Civil Aviation Safety Authority as soon as practicable as required by the Civil Aviation Act Section 60 and Civil Aviation Rule 12.51.

After processing the PIC's report and raising an "Assessment request 15/AI/339" the Airlines PNG Safety and Quality Administrator notified CASA on 25 August 2015, by submitting a form CA005 to CASA by email, with a copy to the CEO of the AIC. The notification was generated from the Airlines PNG AQD Integrated Safety and Risk Management System. This was sent within the timeframe required CAR 12.53. However, following receipt of the CA005 from Airlines PNG, CASA did not notify the AIC of the serious incident in accordance with Section 62 of the Act, but appears to have solely relied on the cc'd email from Airlines PNG, rather than telephoning the AIC with such important safety information.

¹ The 24-hour clock, in Coordinated Universal Time (UTC), is used to describe the local time as specific events occurred. Local time in the area of the accident, Papua New Guinea Time (Pacific/Port Moresby Time) is UTC + 10 hours.

² Specific type of Airborne Collision Avoidance System.

Due to the elapsed time between the breakdown of separation and the AIC being notified of the occurrence, the recorded TCAS data, Flight Data Recorder (FDR) and Cockpit Voice Recorder (CVR) data were overwritten, resulting in the data for the flight on 21 August 2015 no longer being available for the AIC's investigation. The AIC also sought to analyse the TCAS data to check the functionality and integrity of the TCAS system in TAE. Time and date data were not logged which further hampered the accuracy of the AIC's analysis of the TCAS data.

The AIC determined that the reporting requirements of the Civil Aviation Act (Act) and the Civil Aviation Rules (CAR) were not met by the pilots, the operators, and subsequently CASA. The delayed notification to the AIC prevented the timely download of the recorded flight data to assist the AIC's investigation into the breakdown of separation involving the Fokker F27 Mk 050, P2-TAE, and the Bombardier DHC-8-102.

The Act and Rules make no provision for an organisation to delay on-forwarding an accident or serious incident notification to CASA, for the purpose of first conducting their own internal investigation or analysis of the notification. It is evident that the PNG aviation industry, including some personnel at the administration levels in CASA, do not have a clear understanding of their statutory obligations under the Act Sections 60 and 62.

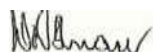
Recommendation number AIC 16-R02/15-2028 to the Civil Aviation Safety Authority of PNG

The Accident Investigation Commission recommends that the Civil Aviation Safety Authority of PNG, as a matter of urgent safety concern should:

1. Promulgate the 24/7 accident and incident notification telephone numbers for CASA in accordance with the ICAO published contact details on the ICAO State address list. (<http://www.icao.int/safety/AIA/Pages/default.aspx>).
2. Issue a written reminder to the PNG aviation industry, (which should include promulgation by Notice to Airmen (NOTAM)), including all aircraft operators and pilots, PNG Air Services Ltd, PNG National Airports Corporation, and CASA staff, articulating the PNG accident and serious incident reporting requirements of the *Civil Aviation Act Sections 60 to 62*, and *Civil Aviation Rules Part 12*, and drawing attention to *ICAO Annex 13 Attachment C, List of Examples of Serious Incidents*.

Action requested

The AIC requests that the Civil Aviation Safety Authority of PNG (CASA) note recommendation AIC 16-R02/15-2028 above, and provide a response to the AIC within 60 days of the issue date, and explain (including with evidence) how CASA has addressed the safety deficiency identified in the AIC investigation report AIC 15-2028.



DAVID INAU, ML

Chief Executive Officer

Civil Aviation Safety Authority of PNG (CASA) response


On 9 August 2018 CASA wrote to the AIC stating:

CASA has taken the following actions:

- (1) updated the contact information on its website & on its service charter.
- (2) CASA has taken into consideration in a proposal by AIC to replace the phrase, "as soon as practicable" with "without delay and by the quickest possible means" in NPRM for Part 12, which will be released for Industry consultation in August 2018. Issuance of a NOTAM without clarifying the rule, will not accomplish anything, as Industry (CASA included) is constrained by the rule requirements.

PNG Accident Investigation Commission (AIC) assessment of Civil Aviation Safety Authority of PNG (CASA) response

The AIC has reviewed the CASA response addressing the AIC Safety Recommendation AIC 16-R02/15-2028 addressed to CASA. The AIC has assigned the response a fully satisfactory rating and records the Status of the Recommendation: **CLOSED RESPONSE ACCEPTED**.



HUBERT NAMANI, LLB

Chief Commissioner

9 August 2018