



## OFFICE OF THE CHIEF COMMISSIONER

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**Safety recommendation: AIC 20-R34 / 19-2002**

**Addressed to: Air Niugini Limited**

**Date issued: 2 October 2020**

**Investigation Link: AIC 19-2002**

**Action statues: Closed**

### Introduction

On 21 November 2019, at about 16:00 local time (06:00 UTC), the Papua New Guinea Accident Investigation Commission became aware about an alleged occurrence earlier that afternoon, involving a Fokker 70 aircraft, registered P2-ANY, owned and operated by Air Niugini Limited.

On 22 November 2019, at 16:13, upon request of the AIC, Papua New Guinea Air Services Limited provided details of the occurrence. Subsequently, the AIC commenced an investigation and immediately dispatched a team of investigators to Air Niugini Limited head office to commence onsite activities.

### Occurrence

On 21 November 2019, at about 15:21 local time (05:21 UTC), a Fokker 70 aircraft, registered P2-ANY, owned and operated by Air Niugini Limited, while conducting a scheduled flight from Tokua Airport, East New Britain Province to Jacksons International Airport, Port Moresby, Papua New Guinea experienced a rapid depressurisation event during a normal descent, about 51 nm North East of Jacksons.

The aircraft had four crew; two pilots and two Cabin Crew, and 41 passengers.

P2-ANY landed at 15:47, and taxied to the parking bay where a normal disembarkation was conducted for all passengers and crew. There were no injuries or damage reported.

## Safety deficiency description

The *Civil Aviation Act 2000 (As Amended)*, Section 246 (3)(c) states;

3) Without limiting the generality of the powers conferred by Section 222 or Section 245, for the purpose of exercising any of its functions, duties, or under this Commission and any person authorized in writing for the purpose by the Commission shall have power to do the following:

c) where necessary to preserve or record evidence, or to prevent the tampering with or alteration, mutilation, or destruction of any aircraft, place, aeronautical product, or any other thing involved in any manner in an accident or incident, to prohibit or restrict access of persons or classes of persons to site of any accident or incident.

The AIC was unable to exercise its powers under this provision, as the Operator had already tampered with the evidence before the investigators accessed the aircraft.

Following the serious incident, P2-ANY was relocated to the Operator's maintenance hangar. On the 23 November 2019, the AIC investigation team boarded the aircraft to conduct site inspections and found that maintenance work had already commenced on the aircraft.

In accordance with the Operator's *Corporate Safety Management Systems Manual (CSMSM) Section 11.1.4.5*, a 'Decompression or emergency descent' is categorised as 'Any other incidents', which is an occurrence associated with the operation of an aircraft that is not an accident and affects or could affect the safety of the operation.

The investigation also found that the Operator's *Flight Administration Manual 7.1.5* states;

*Where an accident occurs to a company aircraft in Papua New Guinea territory, the aircraft shall be deemed to be in the custody of the Civil Aviation Safety Authority and no person shall access, interfere with, or remove, the aircraft or its content except with the permission of the Director.*

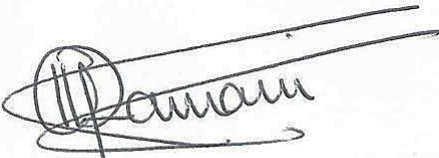
The investigation found that the Operator's procedures for *FAM 7.1.5* was not updated in accordance with the *CA Act 2000, Section 246 (3)*, and *CAR Part 12*, where applicable.

## Recommendation AIC 20-R34/19-2002 to Air Niugini Limited

The PNG Accident Investigation Commission recommends that Air Niugini Limited should ensure that their procedures relating to access to aircraft in the event of an accident or serious incident consider the level of involvement of the AIC as per its mandate under the *Civil Aviation Act 2000 (As Amended)* and *PNG Civil Aviation Rule Part 12*, as applicable.

## Action requested

The AIC requests that Air Niugini Limited note recommendation AIC 20-R34/19-2002, and provide a response to the AIC within 90 days of the issue date and explain including evidence, how Air Niugini Limited has addressed the safety deficiency in the safety recommendation.



**Hubert Namani, LLB**  
Chief Commissioner

2 October 2020

## Closing statement

Air Niugini Limited (ANL) provided a response to the recommendation AIC 20-R34/19-2002 which stated;

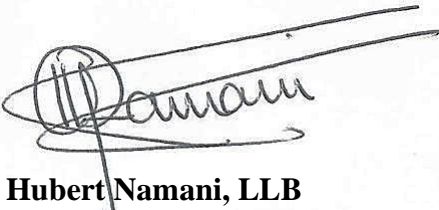
*The incident occurred on 21 Nov 2019 and the same was reported to CASA PNG through Operations Occurrence Report (OOR) on the same day, as per CASA PNG Rule Part 12.55. Air Niugini received notification regarding the order of constituting an investigation into the incident on 22 Nov 2019 at 1734 hours on 22 Nov 2019.*

*Neither Part 1 nor Part 12 define this as either an accident nor as a serious incident. Hence, neither CASA PNG Rule Part 12.101 (access to aircraft involved in accident) nor Rule Part 12.103 (preservation of records of aircraft involved in serious incident) were applicable to this occurrence. However, as per Civil Aviation Act section 246 (3) (c) quoted in this safety recommendation, Air Niugini fully cooperated with AIC in its investigation from the time the official notification of investigation by AIC was received, or in fact, even before that when five investigators arrived onto the aircraft for investigation.*

*Hence, as Air Niugini had no noncompliance relating to the reported tampering of the evidence, we recommend withdrawing this safety recommendation.*

Based on their response, Air Niugini Limited is of the view that the occurrence did not meet the criteria of a serious incident and, therefore, there was no reason to address the safety recommendation. It is important to consider that in accordance with the CASA PNG Advisory Circular AC 12-1 Appendix A 1, which in this particular case is aligned with Annex 13 to the Convention on International Civil Aviation, events requiring the emergency use of oxygen by the flight crew' are considered serious incidents. The AIC assessment identified that Air Niugini Limited's response does not address the safety deficiencies identified.

Therefore, the AIC assigned Air Niugini Limited response a rating *unsatisfactory* and recorded the **Status of the AIC recommendation: CLOSED RESPONSE NOT ACCEPTED.**

A handwritten signature in black ink, appearing to read 'Hubert Namani', with a large, stylized circular flourish at the beginning.

**Hubert Namani, LLB**  
Chief Commissioner

18 March 2021