

ARRANGEMENT OF SECTIONS

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Act 906



THE NINE HUNDRED AND SIXTH

ACT

OF THE PARLIAMENT OF THE REPUBLIC OF GHANA
ENTITLED

GHANA CIVIL AVIATION (AMENDMENT) ACT, 2016

AN ACT to amend the Ghana Civil Aviation Act, 2004 (Act 678) to make further provisions in relation to civil aviation and to provide for related matters.

DATE OF ASSENT: *18th February, 2016*

PASSED by Parliament and assented to by the President

Section 1 of Act 678 amended

1. The Ghana Civil Aviation Act, 2004 (Act 678) referred to in this Act as the “principal enactment” is amended in section 1(1) by the insertion of “Ghana” before “Civil”.

Section 3 of Act 678 amended

2. The principal enactment is amended in section 3 by the deletion of subsection (1) and the insertion of

“(1) The Authority is responsible

(a) generally for the following:

(i) administering and giving effect to this Act;

- (ii) advising the Government on matters relating to civil aviation;
 - (iii) ensuring due compliance with the Conventions, Annexes, Protocols, Standards and Recommended Practices of the International Civil Aviation Organisation;
 - (iv) carrying out any other treaty or agreement in the field of civil aviation to which Ghana is a party;
 - (v) developing guidelines and guidance for the implementation of a safety management system that requires operators and stakeholders in the aviation sector to incorporate safety management systems in their operational activities;
 - (vi) entering into agreements for co-operative endeavours in the field of civil aviation, aviation safety and security with other international and regional contracting States;
 - (vii) establishing a safety programme to achieve an acceptable level of safety in the operation of aircrafts, aerodromes, air traffic control and aircraft maintenance; and
 - (viii) the enforcement of the requirements contained in the National Civil Aviation Security Programme;
- (b) for the regulation of air navigation services including
- (i) promoting and developing safety in civil aviation and ensuring safety of air navigation and aircraft;
 - (ii) regulating, promoting, developing and supervising air transport operations and services;
 - (iii) the licensing and certification of the provision of accommodation in aircrafts;
 - (iv) collaborating in securing to the highest degree practicable uniformity in regulations, standards and procedures in relation to aircraft, personnel, airways and auxiliary services in order to facilitate and improve air navigation by adopting and amending where practicable, the Standards and Recommended Practices and Technical Guidelines issued by the International Civil Aviation Organisation to contracting States;

- (v) acting internationally as the national Authority or body representing the Republic in respect of matters relating to civil aviation;
- (vi) entering into mutual agreements in the event of a lease, charter or interchange of an aircraft for the transfer of all or part of the safety oversight responsibilities in respect of the aircraft to ensure continuous surveillance of the registered aircraft to the State of the operator;
- (vii) licensing of cockpit and cabin crew, flight and ground engineers, air traffic controllers, air traffic safety and electronic personnel as well as other personnel engaged in aircraft operations and allied aviation services;
- (viii) prescribing measures to ensure the continuous airworthiness of aircrafts;
- (ix) registering and de-registering of aircrafts;
- (x) registering and de-registering interests in an aircraft or a part of an aircraft including the recognition of the validity of a certificate of licence of a foreign registered aircraft;
- (xi) taking measures for the prevention and investigation of aircraft incident and accident;
- (xii) ensuring that international units of measurements and aeronautical charts are used in air and ground operations;
- (xiii) providing a coordinated search and rescue service within the Accra Flight Information Region and other aerodromes;
- (xiv) recognizing certificates of airworthiness, certificates of competency, radio licences and other licences issued by other contracting States;
- (xv) supervising the operations of an aircraft; and
- (xvi) environmental protection for aircraft noise and engine emissions;

- (c) for the provision of air navigation services including
 - (i) providing air navigation services within the Accra Flight Information Region;
 - (ii) communicating meteorological information in accordance with the relevant Annexes, Standards and Recommended Practices, Regional Supplementary and any other documents applicable to international air navigation; and
 - (iii) providing the necessary facilities and personnel for the regulation and protection of air traffic services;
- (d) for the establishment and regulation of aviation security including
 - (i) coordinating security activities with the relevant agencies of Government and the National Security Council for the purpose of preventing acts of unlawful interference against civil aviation;
 - (ii) licensing and certifying civil aviation inspectors, security personnel responsible for screening, special agents, auditors or other properly licensed or certified persons;
 - (iii) ensuring compliance with the provisions enshrined in the National Civil Aviation Security Programme;
 - (iv) making Directives with respect to security measures for the purpose of safeguarding civil aviation against acts of criminal violence, air piracy, the introduction of unauthorised weapons, explosives or incendiary devices onto an aircraft;
 - (v) making Directives requiring an airport operator to have in place security contingency plans;
 - (vi) taking of security measures to safeguard air transport, life and property; and
 - (vii) providing for the protection of sensitive security measures, procedures, processes, data, information and other matters that may compromise the safety and security of civil aviation in the Republic;

- (e) for the establishment and regulation of airports and aerodromes including
 - (i) regulating the establishment and use of airports;
 - (ii) licensing and certification of airports, aerodromes and the construction, operation, maintenance and management of navigational sites;
 - (iii) providing standards for the establishment of aerodromes;
 - (iv) taking measures to ensure that aerodrome operators provide adequate level of rescue fire fighting services for the category of aerodrome; and
 - (v) ensuring that air operators, airport operators, concessionaires and users of the airport abide by environmental protection laws and regulations including protection from aircraft noise and engine emissions, bird hazard control, handling of hazardous material, petroleum products sippage, waste management and apply the appropriate sanctions in the event of a violation; and
- (f) for providing economic Directives, consumer protection Directives and aviation service Directives for air transport including
 - (i) the licensing of air transport subject to relevant rules and Directives in force for the economic regulation of airports, airlines, airport catering, ground handling service operators, aviation freight forwarders and other providers of air transport services; and
 - (ii) establishing guidelines for commercial arrangements entered into by air operators for the purpose of ensuring continuous surveillance over registered operators and the development of operating licences.

Section 9 of Act 678 amended

3. The principal enactment is amended in section 9

(a) by the insertion of

“5(c) to a properly qualified private person, organisation or regional body, subject to such Directives, supervision and review as may be prescribed and the

Director-General shall ensure that such functions are not delegated in a way to enable air operators, aerial work or general aviation operators and maintenance facilities to regulate themselves.”

(b) by the substitution for subsection (7), of

“(7) The Director-General shall monitor and enforce compliance with the Conventions, Annexes, Protocols, Standards and Recommended Practices of the International Civil Aviation Organisation and the Organisation’s technical instructions for the transport of dangerous goods by air, but may make variations where necessary; and

(c) by the substitution for subsection (8), of

“(8) The Director-General shall publish in the *Gazette* or on the website of the Authority, Directives, Orders, Advisory Circulars, an instruction or a directive made, given or issued under subsection (2) and section 21.”

(d) by the insertion of a new subsection (9) as follows:

“(9) The Director- General shall publish the credentials of Safety Inspectors, other required personnel of the Authority, and designees acting on the instructions of the Director-General.”

Section 13 of Act 678 amended

4. The principal enactment is amended in section 13 by the deletion of subsection (1) (c) and (d) and the insertion of the following:

“(c) a safety charge on all air tickets and freight charges;

(d) moneys approved by Parliament which are paid directly out of the Consolidated Fund or any other moneys approved by Parliament out of any other public fund; and

(e) any other moneys prescribed as moneys of the Authority by the Regulations.”

Section 21 of Act 678 amended

5. Section 21 of the principal enactment is amended

(a) in subsection (1),

(i) by the substitution for “The Director-General in consultation with the Minister, may by legislative instrument, make Regulations for”, of

- “(1) The Director-General may issue Directives for”;
- (ii) by the deletion of “and” at the end of paragraph (t);
- (iii) by the insertion after paragraph (u), of the following new paragraphs:
 - “(v) securing the highest practicable degree of uniformity in regulations, standards and procedures in relation to aircraft, personnel, air ways and auxiliary services to facilitate and improve air navigation as well as adopt and amend from time to time the standards, recommendations, practices and procedures of the International Civil Aviation Organisation in relation to
 - (i) communication systems and air navigation aids and surveillance systems;
 - (ii) characteristics of airports and landing areas;
 - (iii) rules of the air and air traffic control practices;
 - (iv) licensing of air traffic safety electronics personnel as well as operating and maintenance personnel;
 - (v) airworthiness of an aircraft;
 - (vi) registration and identification of an aircraft;
 - (vii) collection and exchange of meteorological information;
 - (viii) log books;
 - (ix) aeronautical maps and charts;
 - (x) customs and immigration procedures;
 - (xi) aircrafts in distress and investigation of accidents and incidents and other matters concerned with the safety, regularity and efficiency of air navigation as and when necessary;
 - (xii) establishing, identifying, implementing and reviewing safety management systems and policies for the safety of civil aircraft operation;

- (xiii) adopting resolutions that require operators or service providers to establish safety management systems;
 - (xiv) establishing a quality assurance system for internal quality audit system;
 - (xv) coordinating security activities with the agencies of Government including the National Security Council, the National Aviation Security Committee, the Ghana Armed Forces, the Police Service and the National Disaster Management Committee; and
 - (xvi) establishing a system to document the title to or an interest in a civil aircraft registered in the Republic or an aircraft engine, propellers, appliances or spare parts for use on an aircraft registered in the Republic;
 - (w) the safety of operations and surveillance of foreign air operators;
 - (x) the inspection of documents and other activities necessary to ensure compliance with this Act;
 - (y) the issuance, renewal, extension or variation of an air carrier licence; and
 - (z) the amount of insurance to be maintained by domestic carriers in respect of the domestic carrier's liability under the Third Schedule";
- (b) in subsection (2) to (7) by the deletion of "Regulations" and the insertion of "Directives";
- (c) by the deletion of subsection (4)(a) and the insertion of
 "(a) the adoption of Annexes to the Chicago Convention, its Standards and Recommended Practices as well as the adoption of operation directives, rules and regulations of the International Civil Aviation Organisation and the Organisation's Technical Guidance material that the Authority may consider appropriate; and
- (d) by the substitution of "thirty thousand penalty units" in subsection (8), for "three hundred thousand penalty units".

Section 22 of Act 678 amended

6. Section 22 of the principal enactment is amended

- (a) in subsection (2) by the substitution for subsection (2), of
“(2) A person who contravenes or fails to comply with a provision of an instrument made under subsection (1) commits an offence and is liable on summary conviction to a fine of not less than fifty thousand penalty units and not more than two hundred thousand penalty units or to a term of imprisonment of not less than five years and not more than thirty years or to both the fine and the imprisonment.”; and
- (b) in subsection (5) by the substitution for subsection (5), of
“(5) A person who contravenes or fails to comply with a directive issued under subsection (4) commits an offence and is liable on summary conviction to a fine of not less than fifteen thousand penalty units and not more than one hundred thousand penalty units or to a term of imprisonment of not less than five years and not more than thirty years or to both the fine and the imprisonment.”;

Section 23 of Act 678 amended

7. The principal enactment is amended in section 23 by the deletion of subsections (2) and (3) and the insertion of

“(2) An instrument made under subsection (1) may specify steps to be taken for intercepting an aircraft in the Instrument and in accordance with Directives issued by the Director-General and published on the website of the Authority.

(3) A person who contravenes or fails to comply with a provision of an instrument made under this section commits an offence and is liable on summary conviction to a fine of not less than fifty thousand penalty units and not more than two hundred thousand penalty units or to a term of imprisonment of not less than five years and not more than thirty years or to both the fine and the imprisonment.”.

Section 24 of Act 678 amended

8. The principal enactment is amended in section 24(1) by the substitution for “a fine not exceeding two hundred penalty units or to a term of imprisonment not exceeding six months or to both the fine and the imprisonment” of

“a fine of not less than twenty thousand penalty units and not more than one hundred thousand penalty units or to a term of imprisonment of not less than five years and not more than thirty years or to both the fine and the imprisonment.”.

Section 25 of Act 678 amended

9. The principal enactment is amended in section 25 by the deletion of subsections (1), (2) and (3) and the insertion of

“(1) The provisions specified in the First Schedule apply to investigation of accidents arising out of or in the course of air navigation that occurs in or over the Republic or occurs elsewhere to aircraft registered in the Republic.

(2) The Minister may by legislative instrument amend the First Schedule.

(3) A person who contravenes or fails to comply with a requirement specified in the First Schedule commits an offence and is liable on summary conviction to a fine of not less than five thousand penalty units and not more than twenty-five thousand penalty units or to a term of imprisonment of not less than three years and not more than ten years or to both the fine and the imprisonment.”

Section 26 of Act 678 amended

10. The principal enactment is amended in section 26(2) by the substitution for “a fine not exceeding two hundred penalty units or to a term of imprisonment not exceeding six months or to both the fine and the imprisonment” of

“a fine of not less than thirty thousand penalty units and not more than two hundred thousand penalty units or to a term of imprisonment of not less than five years and not more than thirty years or to both the fine and the imprisonment.”.

Section 27 of Act 678 amended

11. The principal enactment is amended in section 27

(a) by the substitution for the headnote of
“Valid insurance and aircraft documents to be carried on board an aircraft”;

(b) by the deletion in subsection (3) of “a fine not exceeding one thousand penalty units or to a term of imprisonment not exceeding five years or to both the fine and the imprisonment” and the insertion of

“a fine of not less than two hundred thousand penalty units and not more than three hundred thousand penalty units or to a term of imprisonment of not less than ten years and not more than thirty years or to both the fine and the imprisonment.”; and

(c) by the insertion after subsection (4) of

“(5) The following documents shall be carried on board an aircraft

(a) a certificate of registration;

(b) a certificate of airworthiness;

(c) appropriate licences for each member of the crew;

(d) a journey log book;

(e) an aircraft radio station license if the aircraft is equipped with radio apparatus;

(f) the list of names, place of embarkation and destination of passengers for passenger flights;

(g) a cargo manifest and detailed declaration of cargo;

(h) a certified copy of air operators certificate;

(i) an Environmental Protection Certificate or Aircraft Noise Certificate ;

(j) a Certificate of Insurance; and

(k) any other documents that may be required from time to time or orders in accordance with Directives issued by the Director-General.”.

Section 28 of Act 678 amended

12. The principal enactment is amended in section 28 by the substitution for section 28 of

“Application of International Air Law Instruments

28 (1) The provisions contained in the Convention for the Unification of Certain Rules For International Carriage by Air signed at Montreal on 28th May, 1999 as has been modified and set out in the Second and Third Schedule to this Act and as amended from time to time, shall from the commencement of this Act have the force of law and apply to

- (a) international carriage of air to and from Ghana in relation to a carriage by air to which those rules apply; and
- (b) non-international carriage by air within Ghana, irrespective of the nationality of the aircraft performing the carriage, and shall, subject to the provisions of this Act, govern the rights and liabilities of carriers, passengers, consignors, consignees and other persons.

(2) In the case of an aircraft accident resulting in the death or injury of passengers, the carrier shall in accordance with the Second and Third Schedules

- (a) make advance payments of at least thirty thousand United States Dollars within thirty days from the date of the accident, to the natural person or any natural persons who are entitled to claim compensation in order to meet the immediate economic needs of the persons; and
- (b) the advance payments shall not constitute recognition of liability and may be off set against any amounts subsequently paid as damages by the carrier.

(3) The provisions of the Convention on International Interests in Mobile Equipment 2001 and the Protocol to the Convention on International Interests in Mobile Equipment on matters specific to aircraft equipment 2001, that is the Cape Town Convention and Protocol set out in the Fourth Schedule shall from the commencement of this Act, be applicable in the Republic.

(4) The provisions contained in the Convention for the Suppression of the Unlawful Seizure of Aircrafts signed at the Hague on the 16th day of December, 1970 and set out in the Fifth Schedule to this Act and as amended shall from the commencement of this Act, be applicable in the Republic.

(5) The provisions contained in the Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation and the Protocol Supplementary to the Convention for the Suppression of the Unlawful Seizure of Aircrafts, signed at Beijing on the 10th day of September, 2010 and set out in the Sixth Schedule shall from the commencement of this Act, be applicable in the Republic.

(6) The provisions contained in the Convention on Damage Caused by Foreign Aircraft to Third Parties on the Surface signed at Rome on 7th October, 1952 as amended and set out in the Seventh Schedule shall from the commencement of this Act, be applicable in the Republic.

(7) The provisions contained in the Convention on Compensation for Damage to Third Parties, Resulting from Acts of Unlawful Interference Involving Aircraft signed in Montreal on 2nd May, 2009 as amended and set out in the Eighth Schedule shall from the date of its entry into force be applicable in the Republic.

(8) The provisions contained in the Convention on Compensation for Damage Caused by Aircraft to Third Parties signed in Montreal on 2nd May, 2009 as amended and set out in the Ninth Schedule shall from the date of its entry into force be applicable in the Republic.”.

Section 30 of Act 678 amended

13. The principal enactment is amended in section 30(1) and (2) by the substitution for

“Regulations” of “Directives”.

Section 31 of Act 678 amended

14. The principal enactment is amended in

(a) section 31 (1) by the substitution for “legislative instrument make Regulations” of “issue Directives”; and

(b) section 31 (2) by the substitution for “Regulations” of “Directives”.

Section 36 of Act 678 amended

15. The principal enactment is amended by the substitution for section 36 of

“Fees

36. The Authority with the approval of the Minister shall charge fees for services provided by the Authority.”

Section 37 of Act 678 amended

16. The principal enactment is amended in section 37 by the substitution for “Regulations” of “Directives”.

Section 39 of Act 678 amended

17. The principal enactment is amended in section 39

(a) by the insertion after subsection (5) (g) of the following new paragraphs:

“(h) unlawfully or intentionally destroys an aircraft in service or causes damage to the aircraft in a manner that renders it incapable of flight or which is likely to endanger the safety of the aircraft in flight,

(i) unlawfully or intentionally places or causes to be placed on an aircraft in service by any means whatsoever a device or substance that is likely to destroy that aircraft or to cause damage to the aircraft that renders it incapable of flight or that is likely to endanger the safety of the aircraft in flight; or

(j) obstructs, interferes with, destroys, steals or causes damage to a communication, navigation, surveillance system, instrument, cables or any part of the systems or instruments belonging to the Authority,”

(b) by the deletion of subsection (6) and the insertion of

“(6) A person on board an aircraft on ground or in flight

(a) who unlawfully, by force or threat of force, or by any other form of intimidation, seizes or exercises control of that aircraft; or

(b) who attempts to commit any of the acts referred to in paragraph (a) or abets the commission of those acts

commits the offence of hijacking of an aircraft, and

is liable on conviction to imprisonment for life and any person who in the course of committing the offence of hijacking of an aircraft, commits, in connection with the offence, any act of violence is committed against a passenger or member of the crew of the aircraft which that person would have been liable to under any law that person is liable to any punishment in force in Ghana if the act had been committed in Ghana;

- (c) subsection (7)
 - (i) by the insertion after “High Court has” of “exclusive original”; and
 - (ii) by the insertion after paragraph (c) of “or (d) for offences specified under this Act”;
- (d) by the deletion of subsection (8) and the insertion of

“(8) For the purposes of subsection (7) an aircraft is considered to be “in flight” at any time from the moment when the external doors of the aircraft are closed following embarkation until the moment when a door is opened for disembarkation and in the case of a forced landing, the flight is deemed to continue until the competent authorities take over the responsibility for the aircraft and for the persons and property on board.”;
- (e) by the substitution for subsection (9) of

“(9) A person who commits an offence under this section for which a penalty is not provided is liable on summary conviction to a fine of not less than thirty thousand penalty units and not more than three hundred thousand penalty units or to a term of imprisonment of not less than ten years and not more than thirty years or to both the fine and the imprisonment.”; and
- (f) by the insertion after subsection (9) of

“(10) The Authority may by Directives prohibit certain acts which constitute unruly or indecent behavior on board an aircraft in or over Ghana and the Directives may include appropriate sanctions.”

Section 40 of Act 678 amended

18. Section 40 of the principal enactment is amended

- (a) by the substitution for “Regulations” wherever it appears of “ Directives”;
- (b) in subsection (1) and (2) by the substitution for “a fine not exceeding two hundred penalty units or to a term of imprisonment not exceeding six months or to both the fine and the imprisonment.” of
“a fine of not less than thirty thousand penalty units and not more than two hundred thousand penalty units or to a term of imprisonment of not less than five years and not more than twenty years or to both the fine and the imprisonment.”; and
- (c) by the insertion after subsection (4) of
“(5) A person who commits an offence specified under subsection (4) is liable on summary conviction to a fine of not less than one hundred thousand penalty units and not more than three hundred thousand penalty units or to a term of imprisonment of not less than ten years and not more than thirty years or to both the fine and the imprisonment.”.

Section 40A inserted

19. The principal enactment is amended by the insertion of a new section 40A as follows:

“Power to prosecute

40A. The Authority may subject to Article 88 of the Constitution initiate and undertake the prosecution, in its name, of a person who commits an offence under this Act or under a Directive, regulation, rule or order made under this Act.”.

Section 40B inserted

20. The principal enactment is amended by the insertion of a new section 40B as follows:

“Administrative penalties

40B. The Authority may impose administrative penalties of not less than ten thousand penalty units and not more than thirty thousand penalty units in the first instance in respect of offences specified under this Act.”.

Section 40C inserted

21. The principal enactment is amended by the insertion of a new section 40C as follows:

“Execution against assets of the Authority

40C. (1) In an action against the Authority an execution or attachment process shall not be issued against the assets of the Authority except a garnishee process.

(2) Any sum of money which may be awarded against the Authority shall subject to the direction of a competent court be paid from the funds of the Authority.”

Section 40D inserted

22. The principal enactment is amended by the insertion of a new section 40D as follows:

“Compelling witnesses to testify

40D (1) For the purposes of this Act, the Director General shall have the power to compel

- (a) witnesses to appear and testify before the Investigations Committee or in matters relating to the investigation of an accident; or
- (b) a person to produce books, papers or documents required by the Investigations Committee or for the purpose of investigation of accidents.

(2) A person who refuses to appear to testify or produce relevant books, papers or documents relating to a matter under investigation commits an offence and is liable on summary conviction to a fine of not more than six hundred penalty units or, to a term of imprisonment of not more than three months.”.

Section 40E inserted

23. The principal enactment is amended by the insertion of a new section 40E as follows:

“Demolition of unauthorised structures

40E (1) The Authority shall have the power to cause the demolition at cost to the owner of any unauthorised mast built close to any communication, navigation or surveillance equipment or that impedes the safety of air navigation.

(2) A person shall not erect or construct a structure close to an aerodrome, approach zone, Transitional zone, horizontal zone, conical zone, clear zones or accidental potential zones without the authorisation of the Director-General.

(3) A person shall not build within a radius of one thousand meters from proposed or existing sites for installation of aviation communication, navigation and surveillance equipment without an aeronautical study and approval from the Director-General.

(4) A person who contravenes sub-section (2) or (3) commits an offence and is liable on summary conviction to a fine of not less than five thousand penalty units and in addition, the structure shall be demolished and the cost of the demolition paid by the offender.”

Section 42 of Act 678 amended

24. Section 42 of the principal enactment is amended in subsection (1) by the insertion after “Court”, of

“Directives” means Instructions issued by the Director-General to ensure compliance with the standards and recommended practices by the International Civil Aviation Organisation;”.

Section 44 of Act 678 amended

25. The principal enactment is amended in section 44 by the substitution for subsection (1) and (2) of

“ (1) The assets and liabilities of, and property vested in the former Authority immediately before the coming into force of this Act shall vest in the Authority..

(2) Proceedings taken by or against the former Authority may be continued by or against the Authority.

(3) A contract subsisting between the former Authority and any other person and in force immediately before the coming into force of this Act shall, subject to the directions in writing of the President, subsist between the Authority and that other person.

(4) An employee of the former Authority shall continue in employment under the Authority on terms and conditions which are not less favourable in aggregate than the terms and conditions enjoyed by that employee under the former Authority.”.

FIRST SCHEDULE
(Section 25 (1) and (2))
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13.1 APPLICABILITY

This Schedule prescribes the requirements applicable to investigation activities following accident and incident involving civil aircraft or helicopter when they occur in the territory of the State of Ghana. In this Schedule the qualifications concerning the State of Operation apply only when an aircraft is leased, chartered or interchanged and when the State is not the State of Registry and if it discharges, in respect of this Schedule, in part or in whole, the functions and obligations of the State of Registry.

13.2 DEFINITION

When the following terms are used for aircraft accident and incident investigation they have the following meaning.

- (1) Aeronautical Information Publication (AIP)** means the publication issued by Ghana Civil Aviation Authority in accordance with ICAO Annex 15.
- (2) 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:
 - (i) being in the aircraft, or
 - (ii) direct contact with any part of the aircraft, including parts which have become detached from the aircraft, or
 - (iii) 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 not available to the passengers and crew; or
 - (b)* the aircraft sustains damage or structural failure which:
 - (i) adversely affected the structural strength, performance or flight characteristics of the aircraft, and

- (ii) would normally require major repair or replacement of the affected component, except for engines failure or damage, when the damage is limited to the engine, its cowlings or accessories; or for damage limited to propellers, wing tips, antennas, tyres brakes, fairing, small dents or puncture holes in the aircraft skin; or
 - (c) the aircraft is missing or is completely inaccessible.
- (3) **Accident investigation board (AIB):** This is a board setup by the Minister pursuant to the Ghana Civil Aviation Authority Act for the investigation of accident and serious incidents
- (4) **Accredited representative:** A person designated by a State on the basis of his or her qualification, for the purpose of participating in an investigation conducted by another State.
- (5) **Adviser:** A person appointed by a State, on the basis of his or her qualification, for the purpose of assisting its accredited representative in an investigation.
- (6) **Aircraft:** Any machine that can derive support in the atmosphere from the reaction of the air other than the reaction of the air against the earth's surface.
- (7) **Aircraft 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
 - (b) Being in the aircraft;
 - (c) Direct contact with any part of the aircraft, including parts which have become detached from the aircraft; or

- (d.) 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.
 - (e.) 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 the aircraft is missing or is completely inaccessible.
- (8) **Causes:** Actions, omission, events, conditions, or a combination thereof, which led to the accident or incident.
 - (9) **Civil aircraft:** Any aircraft other than a State aircraft
 - (10) **Dangerous goods accident:** An occurrence associated with and related to the transport of dangerous goods which results in fatal or serious injury to a person or major property damage.
 - (11) **Dangerous goods incident:** An occurrence, other than a dangerous goods accident, associated with and related to the transport of dangerous goods, not necessarily occurring on board an aircraft, which results in injury to a person, property damage, fire, breakage, spillage, leakage of fluid or radiation or other evidence that the integrity of the packaging has not been maintained. Any occurrence relating to the transport of dangerous goods which seriously jeopardises an aircraft or its occupants is deemed to constitute a dangerous goods incident.

- (12) **Dangerous goods transport document:** A document specified by the ICAO Technical Instructions for the Safe Transportation of Dangerous Goods by Air. It is completed by the person who offers dangerous goods for air transport and contains information about those dangerous goods. The document bears a signed declaration indicating that the dangerous goods are fully and accurately described by their proper shipping names and UN numbers (if assigned) and that they are correctly classified, packed, marked, labelled and in a proper condition for transport.
- (13) **DG:** Director-General of Ghana Civil Aviation Authority
- (14) **Fatal injury:** As relates to an aircraft accident, any injury which results in death within 30 days of the accident. (ICAO Annex 13)
- (15) **Flight recorder:** Any type of recorder installed in the aircraft for the purpose of complementing accident/incident investigation.
- (16) **Government:** The Government of Ghana.
- (17) **Incident:** An occurrence, other than an accident, associated with the operation of an aircraft which affects or could affect the safety of operation.
- (18) **Investigation:** A process conducted for the purpose of accident prevention which includes the gathering and analysis of information, the drawing of conclusions, including the determination of causes and, when appropriate, the making of safety recommendations.
- (19) **Investigator-in-charge (IIC):** A person charged, on the basis of his or her qualification, with the responsibility for the organisation, conduct and control of an investigation.
- (20) **Maximum mass:** Maximum certificated take-off mass.
- (21) **Minister:** Minister responsible for Civil Aviation.

- (22) Occurrence.** In relation to an aircraft, this means any incident which-
- (a) endangers or which, if not corrected, would endanger an aircraft, its occupants or any other person; or
 - (b) resulted in an accident.
- (23) Operator:** A person, organization or enterprise engaged in or offering to engage in aircraft operation.
- (24) Preliminary Report:** The communication used for the prompt dissemination of data obtained during the early stages of the investigation.
- (25) Safety recommendation:** A proposal of the accident investigation authority of the State conducting the investigation, based on information derived from the investigation, made with the intention of preventing accidents or incidents.
- (26) Serious incident:** An incident involving circumstances indicating that an accident nearly occurred.
- (27) Serious injury:** An injury which is sustained by a person in an accident and which:
- (a) requires hospitalisation for more than 48 hours, commencing within seven days from the date the injury was received;
 - (b) results in a fracture of any bone except simple fractures of fingers, toes, or nose;
 - (c) involves lacerations which cause severe haemorrhage, nerve, muscle or tendon damage;
 - (d) involves injury to any internal organ;
 - (e) involves second or third degree burns, or any burns affecting more than five per cent of the body surface; or
 - (f) involves verified exposure to infectious substances or injuries radiation.

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- (28) **State of Design:** The State having jurisdiction over the organisation responsible for the type design.
- (29) **State of Manufacture:** The State having jurisdiction over the organisation responsible for the final assembly of the aircraft.
- (30) **State of Occurrence:** The State in the territory of which an accident or incident occurs.
- (31) **State of the Operator:** The State in which the operator's principle place of business is located or, if there is no such place of business, the operator's permanent residence.
- (32) **State of Registry:** The State on whose register the aircraft is entered.
- (33) **Substantial damage:** Damage or failure which adversely affects the structural strength, performance, or flight characteristics of the aircraft, and which would normally require major repair or replacement of the affected component.

13.3 **OBJECTIVE OF THE INVESTIGATION**

- 13.3.1 The sole objective of the investigation of an accident or incident shall be for the determination of the causes and for prevention of such accidents and incidents in the future. It is not the purpose of this activity to apportion blame or liability.

13.4 **PERSONS LIABLE TO NOTIFY**

- 13.4.1 The person liable to notify the accident to the Director-General or the Authority responsible for Accident investigation, shall be the person in command of the aircraft involved at the time of the accident or incident, or, if that person is killed or incapacitated, then the owner, operator, hirer or other person on whose behalf that person was in command of the aircraft.

- 13.4.2** In the event that an accident occurs around an aerodrome, the aerodrome authority or air traffic service provider is also required to give notification of the accident to the Authority responsible for Accident investigation.
- 13.4.3** If an accident happens outside the vicinity of the airport or the aerodrome, any person who comes across it shall immediately inform the local police of the accident and the place where it has occurred. The police shall in turn send an emergency message (phone, e-mail or fax, etc.) to the police headquarters Accra, where the police shall pass as much information as available to be delivered to the accident Investigation Board or relevant Authority responsible for Accident Investigation.

13.5 REPORT ON ACCIDENTS/INCIDENTS

- 13.5.1** The persons in command or the owners of an aircraft which has been involved in an accident whether or not it is required to be notified under these Regulations, shall, submit to the Director-General of Ghana Civil Aviation Authority a written report on such accident or incident in such form as may be prescribed for safety management purposes.

13.6 POWER TO APPOINT INVESTIGATOR-IN-CHARGE

- 13.6.1** The Minister responsible for Aviation shall when an accident occurs in the State of Ghana order an independent investigation into any accident involving a civil aircraft whether such accident is required to be notified under these Regulations or not, and may appoint or designate any person qualified as an Accident Investigator to be an Investigator-in-Charge of the Accident for the purpose of initiating and carrying out the investigation immediately and reporting as soon as possible after the report is issued.

13.6.2 **QUALIFICATION OF INVESTIGATOR**

The Minister shall appoint for the purpose of investigating civil aircraft accident in the State of Ghana, a team of investigators comprising an aeronautical engineer or aircraft airframe and power plant/ systems and avionic engineer. All such engineers must be holders of Aircraft Maintenance Engineer's Licences and not with less than ten years field experience, pilot with not less than 5000 flying hours and with type ratings experience on five aircraft; an Aviation Medical Examiner with aviation background and five years' experience as physician specialist; an Air Traffic Service personnel with ten years experience in air traffic control management; a legal officer with five years practicing experience and a good insight of civil aviation or airline management. All investigators must have been trained in the techniques of aircraft accident investigation comprising human factors knowledge and should have periodic re-current training. An Administrative staff shall be on ground to support the team of investigators working.

13.6.3 Without prejudice to the power of an investigator-in-charge of accidents to seek such advice and assistance as he may think necessary in making his investigation, the Minister responsible for aviation may at the request of the Investigator-in-charge appoint persons to assist him in the investigation and such persons shall for the purpose of so doing have such of the powers of an investigator under these regulations as may be specified in their appointment.

13.6.4 The investigation shall be held at such time and place as the Minister may specify by notice published and in such notice the investigator-in-charge shall invite any person who wishes to make representations concerning the circumstances of the causes of the accident to do so in writing within the time specified in the notice.

- 13.6.5 (a) The Minister shall provide each member or every participant in the investigation team with appropriately signed credentials.
- (b) All investigators must have been trained in the techniques of aircraft accident investigation comprising human factors knowledge and should have periodic recurrent training in civil aircraft accident and accident investigation.

13.7 POWERS OF INVESTIGATOR-IN-CHARGE

- 13.7.1 For the purpose of the investigation an Investigator-in-charge of Accidents shall have power to:
- (a) require the attendance of any person and to examine such person;
 - (b) require any such person to make and sign a declaration regarding the true nature of his statements;
 - (c) require answers or returns to any inquiries the Investigator thinks fit to make;
 - (d) require and enforce the production of all books, papers, documents and articles which he may consider necessary for the investigation and to retain any such books, papers, documents and articles until the completion of his investigation;
 - (e) have access and examine any aircraft involved in the accident at the place where the accident occurred or at any other place;
 - (f) to have unhampered access to the wreckage and unrestricted control over it;
 - (g) have access to all relevant materials, including flight recorders and Air Traffic Service records, and shall have unrestricted control over it to ensure that a detailed examination can be made without delay by authorised personnel participating in the investigation; and
 - (h) issue accredited foreign participants with appropriate credentials.

13.8 OBSTRUCTION OF INVESTIGATOR-IN-CHARGE

13.8.1 No person shall obstruct or impede an Investigator-in-charge of Accidents and other investigations in the exercise of their powers under these Regulations.

13.8.2 No person shall without reasonable excuse fail to comply with any summons or requisition of an Investigator holding an investigation under these Regulations.

13.9 FEES FOR ASSISTANCE, WITNESSES ETC.

13.9.1 The Minister may pay to any person assisting in an investigation or to any assessor or witness fees or attendance allowances at such rate as may be determined by the Minister.

13.10 PROTECTION OF EVIDENCE, CUSTODY AND REMOVAL OF AIRCRAFT

13.10.1 RESPONSIBILITY OF THE STATE OF GHANA

In the case of an accident which is required to be notified under these Regulations the State of Ghana shall comply with ICAO Annex 13 in conducting the investigation. It shall take all reasonable measures to protect the evidence and to maintain safe custody of the aircraft and its contents for such a period as may be necessary for the purposes of an investigation. Protection of evidence shall include the preservation, by photographic or other means of any evidence which might be removed, effaced, lost or destroyed. Safe custody shall include protection against further damage, access by unauthorised persons, pilfering and deterioration.

13.10.2 If the aircraft is wrecked on water, the aircraft or any parts or contents thereof may be removed to such extent as may be necessary for bringing it or them to a place of safety.

13.10.3 The aircraft or any parts or contents thereof may be removed or interfered with so far as may be necessary for the purpose of extricating persons or animals dead or alive or preventing the destruction of the aircraft and its contents by fire or other cause

or preventing any damage or obstruction to the public or to the air navigation or to other transport.

- 13.10.4 Goods shall not be removed from the aircraft except under the supervision and with the concurrence of a customs officer or an officer of the Ghana Civil Aviation Authority or the investigator-in-charge.
- 13.10.5 The personal luggage of passengers or crew may be removed from the aircraft under the supervision of a customs officer or an officer of the Ghana Civil Aviation Authority or the investigator-in-charge.
- 13.10.6 Mails may be removed under the supervision of a customs officer or an officer of the Ghana Civil Aviation Authority or Posts and Telecommunications or the investigator-in-charge.
- 13.10.7 The Director-General may for the purpose of any investigation ordered under these Regulations authorise any person to take measures to preserve the aircraft and to have access to examine or otherwise deal with the aircraft.

13.11 OWNER MAY BE PRESENT

- 13.11.1 The owner or his nominated representative shall have the right to be present during any examination or other action taken, but the Investigator-in-Charge shall not be bound to postpone any action which he may consider necessary by reasons of the absence of the owner or his representative.

13.12 SUBMISSION OF REPORT BY THE INVESTIGATOR-IN-CHARGE

- 13.12.1 The Investigator of Accidents shall make a report to the Minister stating all relevant facts with regard to the accident and his conclusion with regard to the causes of the accident together with his observations and recommendations.

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- 13.12.2 The Minister shall make comments and if the Minister thinks fit, cause the whole or any part of such report to be published.

13.13 CONDUCT OF THE INVESTIGATION

- 13.13.1 The investigation shall be conducted in such manner that if a charge is likely to be made against any person and if it appears to the investigator-in-charge to be practicable to do so, that person shall be given notice that blame may be attributed to him and thereupon he shall be given a reasonable opportunity of being present and making any statement or giving any evidence and producing witnesses from whose evidence it appears that blame may be attributed to him.

- 13.13.2 Any individuals or administrative proceedings to apportion blame or liability shall be separate from any investigation conducted under the provision of these regulations.

13.14 RE-OPENING OF INVESTIGATION ON FRESH EVIDENCE

- 13.14.1 The Minister responsible for aviation shall at any time cause an investigation under these regulations to be re-opened either generally or as to any part thereof: -
 (a) if new and important evidence has been discovered;
 or
 (b) for other reason which appears to the Minister to be sufficient

However if the State of Ghana, which conducted the investigation, did not institute it then it has to obtain the consent of the State which instituted the investigation.

- 13.14.2 Any investigation re-opened may be conducted by the same investigator-in-charge or by another investigator appointed by the Minister and shall be conducted in accordance with the provisions of these Regulations relating to an investigator's investigation.

13.15 REQUEST FROM STATE OF REGISTRY, STATE OF THE OPERATOR, STATE OF DESIGN OR STATE OF MANUFACTURE

- 13.15.1 If a request is received from the State of Registry, the State of the Operator, the State of Design or the State of Manufacturer that the aircraft, its contents, and any other evidence remain undisturbed pending inspection by an accredited representative of the requesting State, the State of Ghana shall take all necessary steps to comply with such request, so far as this is reasonably practicable and compatible with the proper conduct of the investigation; provided that the aircraft may be moved to the extent necessary to extricate persons, animals, mails and valuables, to prevent destruction by fire or other causes, or to eliminate any danger or obstruction to air navigation, to other transport or to the public, and provided that it does not result in undue delay in returning the aircraft to service where practicable.

13.16 RELEASE FROM CUSTODY

- 13.16.1 Subject to the provisions of 13.10.1 and 13.15.1, the State of Ghana shall release custody of the aircraft, its contents or any parts thereof as soon as they are no longer required in the investigation, to any person or persons duly designated by the State of Registry or the State of the Operator, as applicable. For this purpose the State of Ghana shall facilitate access to the aircraft, its contents or any parts thereof, provided that, if the aircraft, contents or any parts thereof, lie in an area within which the State of Ghana finds it impracticable to grant such access, it shall itself effect removal to a point where access can be given.

13.17 NOTIFICATION

- 13.17.1 Accident or serious incidents in the Territory of the State of Ghana to Aircraft of another contracting state.

13.17.2 RESPONSIBILITY OF THE STATE OF GHANA

13.17.3 Forwarding

13.17.4 The State of Ghana shall forward a notification of an accident or serious incident with a minimum of delay and by the most suitable and quickest means available to:

- (a) the State of Registry;
- (b) the State of the Operator;
- (c) the State of Design;
- (d) the State of Manufacture; and
- (e) the International Civil Aviation Organization, when the aircraft involved is of a maximum mass of over 2 250 kg.

13.17.5 However, when the State of Ghana is not aware of a serious incident, the State of Registry or the State of the Operator, as appropriate, shall forward a notification of such an incident to the State of Design, the State of Manufacture and the State of Ghana.

13.17.6 Format and Content

13.17.6.1 The notification shall be in plain language and contain as much of the following information as is readily available, but its dispatch shall not be delayed due to the lack of complete information:

- (a) for accidents the identifying abbreviation ACCID, for serious incidents INCID;
- (b) manufacturer, model, nationality and registration marks, and serial number of the aircraft;
- (c) name of owner, operator and hirer, if any, of the aircraft;
- (d) name of the pilot-in-command;
- (e) date and time (local time or UTC) of the accident or serious incident;
- (f) last point of departure and point of intended landing of the aircraft;

- (g) position of the aircraft with reference to some easily defined geographical point and latitude and longitude;
- (h) number of crew and passengers; aboard, killed and seriously injured others, killed and seriously injured;
- (i) nature of the accident or serious incident and the extent of damage to the aircraft so far as is known;
- (j) an indication to what extent the investigation will be conducted or is proposed to be delegated by the State of Ghana;
- (k) physical characteristics of the accident or serious incident area;
- (l) identification of the originating authority and means to contact the investigator- in-charge and the accident investigation of the State of Ghana at any time; and
- (m) presence and description of dangerous goods on board the aircraft.

13.17.7 Language

- 13.17.7.1 The notification shall be prepared by State of Ghana in one of the working languages of ICAO, taking into account the language of the recipient(s), whenever it is possible to do so without causing undue delay.

13.17.8 Additional information

- 13.17.8.1 As soon as it is possible to do so, the State of Ghana shall dispatch the details omitted from the notification as well as other known relevant information.

13.18 RESPONSIBILITY OF THE STATE OF REGISTRY, THE STATE OF THE OPERATOR, THE STATE OF DESIGN AND THE STATE OF MANUFACTURE

13.18.1 Information – Participation

- 13.19.2** The State of Registry, the State of the Operator, the State of Design and the State of Manufacture should acknowledge receipt of the notification of the accident or serious incident.

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13.19.3 Upon receipt of the notification the State of Registry, the State of the Operator, the State of Design and the State of Manufacture shall, as soon as possible, provide the State of Ghana with any relevant information available to them regarding the aircraft and flight crew involved in the accident or serious incident. Each State shall also inform the State of Ghana whether it intends to appoint an accredited representative and if such an accredited representative is appointed, the name contact details as well as the expected date of arrival if the accredited representative will travel to the State of Ghana.

13.18.4 Upon receipt of the notification, the State of the Operator shall, with a minimum delay and by the most suitable and quickest means available, provide the State of Ghana with details of dangerous goods on board the aircraft.

13.19 ACCIDENTS OR SERIOUS INCIDENTS IN THE TERRITORY OF THE STATE OF REGISTRY, IN A NON-CONTRACTING STATE OR OUTSIDE THE TERRITORY OF ANY STATE

13.19.1 Responsibility of the State of Registry

13.19.2 Forwarding

13.19.3 When the State of Registry institutes the investigation of an accident or serious incident, that State shall forward a notification, in accordance with 13.18.7.1 and 13.18.6.1 above, with a minimum of delay and by the most suitable and quickest means available, to:

- (a) the State of the Operator;
- (b) the State of Design;
- (c) the State of Manufacture; and
- (d) the International Civil Aviation Organization, when the aircraft is involved is of a maximum mass of over 2 250 kg

13.20 RESPONSIBILITY OF THE STATE OF THE OPERATOR, THE STATE OF DESIGN AND THE STATE OF MANUFACTURE

13.20.1 Information – Participation

13.20.2 Upon receipt of the notification the State of the Operator, the State of Design and the State of Manufacture shall, upon request, provide the State of Registry with any relevant information available to them regarding the flight crew and the aircraft involved in the accident or serious incident. Each State shall also inform the State of Registry whether it intends to appoint an accredited representative, and if such an accredited representative is appointed, the name and contact details; as well as the expected date of arrival if the accredited representative will be present at the investigation.

13.20.3 The state of Registry, the State the Operator, the State of Design and the State of Manufacture should acknowledge receipt of notification of an accident or serious incident.

13.20.4 Upon receipt of the notification, the State of the Operator shall, with a minimum of delay and by the most suitable and quickest means available that is by faxing or E-mail provide the State of Registry with details of dangerous goods on board the aircraft.

13.21 RESPONSIBILITY OF THE STATE OF REGISTRY (GHANA) WHERE NOT THE STATE OF OCCURRENCE

13.21.1 APPLICABILITY

(a) This section is applicable to international obligations in the event of an accident or incident investigation where Ghana is not the State of Occurrence, but is the -

- (1) State of Registry;
- (2) State of the Operator;
- (3) State of Manufacturer; or
- (4) State of Design.

13.21.2 ACTIONS FOLLOWING RECEIPT OF NOTIFICATION

- (a) The Authority shall acknowledge receipt of the notification of an accident or serious incident from the State of Occurrence.
- (b) The Authority shall also inform the State of Occurrence—
 - (1) whether it intends to appoint an accredited representative; and
 - (2) if such an accredited representative is appointed, the name and contact details; as well as
 - (3) the expected date of arrival if the accredited representative will be present at the investigation.

13.21.3 TIMELY PROVISION OF RELEVANT INFORMATION

- (a) Upon receipt of the notification, the Authority shall, upon request, provide the State of Occurrence with any relevant information available to them regarding the flight crew and the aircraft involved in the accident or serious incident.
- (b) Upon receipt of the notification, the Authority shall, with a minimum of delay and by the most suitable and quickest means available, provide the State of Occurrence with details of dangerous goods on board the aircraft.

13.21.4 PROVISION OF ADDITIONAL INFORMATION

- (a) The Authority shall, on request from the State conducting the investigation of an accident or an incident, provide that State with all the relevant information available to the Authority.
- (b) The Authority shall, when the facilities or services of Ghana have been, or would normally have been, used by an aircraft prior to an accident or an incident, and if it has information pertinent to the investigation, shall provide such information to the State conducting the investigation.

13.21.5 PROTECTION & PROVISION OFF LIGHT RECORDER RECORDS

When an aircraft involved in an accident or a serious incident lands in Ghana, the Authority shall, on request from the State conducting the investigation, furnish the latter State with the -

- (1) flight recorder records; and
- (2) if necessary, the associated flight recorders.

13.21.6 PROVISION OF RELATED ORGANISATION INFORMATION

The Authority shall, on request from the State conducting the investigation, shall provide pertinent information on any organisation whose activities may have directly or indirectly influenced the operation of the aircraft.

13.21.7 REQUIRED APPOINTMENT OF AN ACCREDITED REPRESENTATIVE

When the State conducting an investigation of an accident to an aircraft of a maximum mass of over 2250 kg specifically requests participation of Ghana, the Minister shall appoint an accredited representative.

13.21.8 ACTION ON SAFETY RECOMMENDATIONS

- (a) When the Authority receives proposed safety recommendations from another State based on an accident or incident investigation, an evaluation of the proposals shall be conducted.
- (b) Following that evaluation, the Authority shall inform the proposing State of the—
 - (1) Preventive action taken or under consideration;
 - (2) Reasons why no action will be taken; or
 - (3) Alternative proposals for preventive action other than the original safety recommendations.

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13.21.9 RIGHT OF PARTICIPATION IN INVESTIGATION

13.21.91 APPLICABILITY

- (a) This section provides the requirements for allowing the participation of accredited representatives, their advisors and other experts to assist in the accident investigation, reports and safety recommendations.
- (b) The investigator in charge will ensure that these persons are included in the accident and incident investigation to the extent of their entitlement.

13.21.9.2 STATES ENTITLED TO APPOINT A REPRESENTATIVE

- (a) The following States are entitled to appoint an accredited representative to participate in an accident or incident investigation conducted by the Authority –
 - (1) The State of Registry;
 - (2) The State of the Operator;
 - (3) The State of Design; and
 - (4) The State of Manufacture.
- (b) The State that designed or manufactured the power plant or major components of the aircraft shall also be invited to participate in the investigation of an accident.
- (c) Any State which on request provides information, facilities or experts to the Authority shall be entitled to appoint an accredited representative to participate in the investigation.
- (d) Any State that provides an operational base for field investigations, or is involved in search and rescue or wreckage recovery operations, or is involved as a State of a code-share or alliance partner of the operator, shall also be invited to appoint an accredited representative to participate in the investigation.

13.21.9.3 ADDITIONAL INVITED PARTICIPANTS

- (a) If neither the State of Registry, nor the State of the Operator appoint an accredited representative, the Authority shall invite the operator to participate, subject to the procedures of the State conducting the investigation.

- (b) When neither the State of Design nor the State of Manufacture appoints an accredited representative, the Authority shall invite the organisations responsible for the type design and the final assembly of the aircraft to participate, subject to the procedures of the Authority.

13.21.9.4 APPOINTMENT OF ADVISORS TO THE ACCREDITED REPRESENTATIVES

- (a) The State of Registry or the State of the Operator may appoint one or more advisors, proposed by the operator, to assist its accredited representative.
- (b) The State of Design and the State of Manufacture shall be entitled to appoint one or more advisors, proposed by the organisations responsible for the type design and the final assembly of the aircraft, to assist their accredited representatives.

13.22 INVESTIGATION

13.22.1 RESPONSIBILITY FOR INSTITUTING AND CONDUCTING THE INVESTIGATION

13.22.2 Accidents or Incidents Occurring in the Territory of the State of Ghana

13.22.2.1 The State of Ghana shall institute an investigation into the circumstances of the accident. The State of Ghana shall also be responsible for the conduct of the investigation, but it may delegate the whole or any part of the conducting of such investigation to another State by mutual arrangement and consent. In any event the State of Ghana shall use every means to facilitate the investigation.

13.22.2.2 The State of Ghana will institute an investigation into the circumstances of a serious incident. The State of Ghana may delegate the whole or any part of the conducting of such investigation to another State by mutual consent. In any event the State of Ghana will use every means to facilitate the investigation.

13.22.3 ACCIDENTS OR INCIDENTS IN THE TERRITORY OF A NON- CONTRACTING STATE

13.22.3.1 When the accident or the serious incident has occurred to a Ghanaian registered aircraft in the territory of an non-Contracting State which does not intend to conduct an investigation in accordance with these Regulations, Ghana, the State of the Operator, the State of Design or the State of Manufacture must endeavour to institute and conduct an investigation in co-operation with the State of Ghana but, failing such co-operation, the State of Ghana shall itself conduct an investigation with such information as is available.

13.22.3.2 Any state which on request provides information, facilities or experts to the Authority conducting the investigation shall be entitled to appoint an accredited representative to participate in the investigation.

13.22.3.3 Any state that provides an operational base for field investigation or is involved in search and rescue or wreckage recovery operations or, is involved as a state of a code share or alliance partner of the operator may also be invited to appoint an accredited representative to participate in the investigation.

13.22.3.4 Accidents or Serious Incidents outside the Territory of any State

13.22.3.5 State of Registry

13.22.3.6 When the location of the accident or the serious incident cannot definitely be established as being in the territory of any State, the State of Registry shall institute and conduct any necessary investigation of the accident or serious incident. However, it may delegate the whole or any part of the investigation to another State by mutual arrangement and consent.

13.22.3.7 States nearest the scene of an accident in international waters shall provide such assistance as they are able and shall, likewise, respond to requests by the State of Registry.

13.22.3.8 If the State of Registry is a non-contracting State which does not intend to conduct an investigation in accordance with these Regulations, the State of the Operator or, failing that, the State of Design or the State of Manufacture will endeavour to institute and conduct an investigation. However, it may delegate the whole or any part of the investigation to another State by mutual arrangement and consent.

13.22.4 ORGANISATION AND CONDUCT OF THE INVESTIGATION

13.22.4.1 Responsibility of the State Conducting the investigation

13.22.4.1.1 General In Ghana, the accident investigation Board shall have independence in the conduct of the investigation and have unrestricted authority over its conduct, consistent with the provisions of these Regulations. The investigation shall include:

- (a) the gathering, recording and analysis of all available relevant information on that accident or incident;
- (b) if appropriate, the issuance of safety recommendations;
- (c) if possible, the determination of the causes; and
- (d) the completion of the Final Report.

When possible, the scene of the accident shall be visited, the wreckage examined and statements taken from witnesses.

13.22.4.2 Investigator-in-charge – Designation

The State conducting the investigation shall designate the investigator-in-charge of the investigation and shall initiate the investigation immediately.

13.22.4.3 Investigator-in-charge – Access and control

The investigator-in-charge shall have unhampered access to the wreckage and all relevant material, including flight recorders and ATS records, and shall have unrestricted control over it to ensure that a detailed examination can be made without delay by authorised personnel participating in the investigation.

13.22.4.4 Flight recorders – Accidents and incidents

13.22.4.4.1 Effective use shall be made of flight recorders in the investigation of an accident or an incident. The State of conducting the investigation shall arrange for the read-out of the flight recorders without delay.

13.22.4.4.2 In the event that the State of Ghana conducting the investigation of an accident or an incident does not have adequate facilities to read out the flight recorders, it shall use the facilities made available to it by other States, giving consideration to the followings:

- (a) the capabilities of the read-out facility;
- (b) the timeliness of the read-out; and
- (c) the location of the read-out facility.

13.22.4.5 Autopsy examinations

The State of Ghana conducting the investigation into a fatal accident shall arrange for complete autopsy examination of fatally injured flight crew and, subject to the particular circumstances, of fatally injured passengers and cabin attendants, by a pathologist, preferably experienced in accident investigation.

These examinations shall be expeditious and complete.

13.22.4.6 Medical Examinations

When appropriate, the State of Ghana conducting the investigation shall arrange for medical examination of the crew, passengers and involved aviation personnel, by a physician, preferably experienced in accident investigation. These examinations shall be expeditious.

13.22.4.7 Co-ordination – Judicial authorities

13.22.4.7.1 The State of Ghana conducting the investigation shall recognise the need for co-ordination between the investigator-in-charge and the judicial authorities. Particular attention shall be given to evidence which requires prompt recording and analysis for the investigation to be successful, such as the examination and identification of victims and readouts of flight recorder recordings.

13.22.4.7.1 Any judicial or administrative proceedings to apportion blame or liability should be separate from any investigations conducted under the provisions of these regulations.

13.22.4.8 Informing aviation security authorities if, in the course of an investigation it becomes known, or it is suspected, that an act of unlawful interference was involved, the investigator-in-charge shall immediately initiate action to ensure that the aviation security authorities of the State(s) concerned are so informed.

13.22.4.9 Non-disclosure of recorders

13.22.4.9.1 The following records shall not be made available for purposes other than accident or incident investigation, unless the appropriate authority for the administration of justice in Ghana or in any other State determines that their disclosure outweighs the adverse domestic and international impact such action may have on that or any future investigations:

- (a) all statements taken from persons by the investigation authorities in the course of their investigation;

- (b) all communications between persons having been involved in the operation of the aircraft;
- (c) medical or private information regarding persons involved in the accident or incident;
- (d) recordings and transcriptions of recordings from air traffic control units
- (e) cockpit voice recordings and transcripts from such recordings; and
- (f) opinions expressed in the analysis of information including flight recorder information

13.22.4.9.2 These records shall be included in the final report or its appendices only when pertinent to the analysis of the accident or incident. Parts of the records not relevant to the analysis shall not be disclosed.

13.22.5 Responsibility Of Any Other State

13.22.5.1 Information – Accidents and incidents

Any State shall, on request from the State of Ghana conducting the investigation of an accident or an incident, provide the State of Ghana with all the relevant information available to it.

13.22.5.2 Pertinent information – Accidents and incidents

Any State, the facilities or services of which have been, or would normally have been, used by an aircraft prior to an accident or an incident wherever it occurred, and which has information pertinent to the investigation, shall provide such information to the State of Ghana conducting the investigation.

13.22.6 RESPONSIBILITY OF THE STATE OF REGISTRY AND THE STATE OF THE OPERATOR

Flight Recorder – Accidents and serious incidents

13.22.6.1 When an aircraft involved in an accident or a serious incident lands in a State other than the State of Ghana, the State of Registry or the State of the Operator shall, on request from the State of Ghana conducting the investigation, furnish the latter State with the flight recorder records and, if necessary, the associated flight recorders.

13.22.6.2 Organisational information

13.22.6.3 The State of Registry and the State of the Operator, on request from the State of Ghana conducting the investigation, shall provide pertinent information on any organisation whose activities may have directly or indirectly influenced the operation of the aircraft.

13.22.7 PARTICIPATION IN THE INVESTIGATION

13.22.7.1 PARTICIPATION OF THE STATE OF REGISTRY, THE STATE OF THE OPERATOR, THE STATE OF DESIGN AND THE STATE OF MANUFACTURE

13.22.7.2 Rights

13.22.7.2.1 The State of Registry, the State of the Operator, the State of Design and the State of Manufacture shall each be entitled to appoint an accredited representative to participate in the investigation.

13.22.7.2.2 The State of Registry and the State of the Operator shall appoint one or more advisers proposed by the operator, to assist its accredited representative.

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13.22.7.2.3 When neither the State of Registry, nor the State of the Operator appoint an accredited representative, the State conducting the investigation should invite the operator to participate, subject to the procedures of the State conducting the investigation.

13.22.7.2.4 The State of Design and the State of Manufacture shall be entitled to appoint one or more advisers, proposed by the organisations responsible for the type design and the final assembly of the aircraft, to assist their accredited representatives

13.22.7.2.5 When neither the State of Design or the State of Manufacture shall appoint an accredited representative, the State of Ghana conducting the investigation shall invite the organisations responsible for the type design and final assembly of the aircraft to participate, subject to the procedures of the State of Ghana conducting the investigation

13.22.7.3 Obligations

13.22.7.3.1 When the State of Ghana conducting an investigation of an accident to an aircraft of a maximum mass of over 2 250 kg specifically requests participation by the State of Registry, the State of the Operator, the State of Design or the State of Manufacture, the State(s) concerned shall each appoint an accredited representative.

13.22.8 PARTICIPATION OF OTHER STATES

13.22.8.2 Rights

Any State which on request provides information, facilities or experts to the State of Ghana conducting the investigation shall be entitled to appoint an accredited representative to participate in the investigation.

13.22.8.3 ENTITLEMENT OF ACCREDITED REPRESENTATIVES

13.22.8.3.1 Advisers

13.22.8.3.1.1 A State entitled to appoint an accredited representative shall also be entitled to appoint one or more advisers to assist the accredited representative in the investigation.

13.22.8.3.1.2 Advisers assisting an accredited representative shall be permitted under the accredited representatives' supervision, to participate in the investigation to the extent necessary to enable the accredited representatives to make their participation effective.

13.22.8.4 PARTICIPATION

13.22.8.4.1 Participation in the investigation shall confer entitlement to participate in all aspects of the investigation, under the control of the investigator-in-change, in particular to:

- (a) visit the scene of the accident;
- (b) examine the wreckage;
- (c) obtain witness information and suggest areas of questioning;
- (d) have full access to all relevant evidence as soon as possible;
- (e) receive copies of all pertinent documents;
- (f) participate in read-outs of recorded media;
- (g) participate in off-scene investigative activities such as component examinations, technical briefings, tests and simulations;
- (h) participate in investigation progress meetings including deliberations related to analysis, findings, causes and safety recommendations; and
- (i) make submissions in respect of the various elements of the investigation.

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13.22.8.4.2 However, participation of State other than the State of Registry, the State of the Operator, the State of Design and the State of Manufacture may be limited to those matters which entitled such States to participation under 13.7.7.2.1.

13.22.8.5 OBLIGATIONS

13.22.8.5.1 The Accredited Representative and their advisers:

- (a) shall provide the State conducting the investigation with all relevant information available to them; and
- (b) shall not divulge information on the progress and the findings of the investigation without the express consent of the State conducting the investigation.

13.22.9 PARTICIPATION OF STATES HAVING SUFFERED FATALITIES OR SERIOUS INJURIES TO ITS CITIZENS

13.22.9.3.1 Rights and entitlement

A State which has a special interest in an accident, wherever it occurred, by virtue of fatalities or serious injuries to its citizens shall, upon making a request to do so, be permitted by the State of Ghana conducting the investigation to appoint an expert who should be entitled to:

- (a) visit the scene of the accident;
- (b) have access to the relevant factual information;
- (c) participate in the identification of the victims;
- (d) assist in questioning surviving passengers who are citizens of the expert's State; and
- (e) receive a copy of the Final Report.

13.23 ADREP REPORTING

The provision of this subject may require two separate reports for any one Accident or Incident. They are

- (a) Preliminary Report and
- (b) Accident/Incident Data Report

13.23.1 PRELIMINARY REPORT

13.23.1.1 Responsibility Of The State Of Ghana Conducting The Investigation. – Accidents wherever they occurred to

13.23.1.2 Aircraft over 2 250 kg

13.23.1.2.1 When the aircraft involved in an accident, is of a maximum mass of over 2 250 kg, the State of Ghana conducting the investigation shall send the Preliminary Report to:

- (a) the State of Registry or the State of Ghana, as appropriate;
- (b) the State of the Operator;
- (c) the State of Design;
- (d) the State of Manufacture;
- (e) any State which provided relevant information, significant facilities or experts; and
- (f) the International Civil Aviation Organization.

13.23.1.3 Aircraft of 2 250 kg or less

13.23.1.3.1 When an aircraft, not covered by 13.24.3.1 above, is involved in an accident, and when airworthines or matters considered to be of interest to other States are involved, the State of Ghana conducting the investigation shall forward the Preliminary Report to

- (a) the State of Registry or the State of Ghana, as appropriate;
- (b) the State of the Operator;
- (c) the State of Design;
- (d) the State of Manufacture; and
- (e) any State which provided relevant information, significant facilities or experts.

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- 13.23.2** **Language**
- 13.23.2.1 The Preliminary Report shall be submitted to appropriate States and to the International Civil Aviation Organization in one of the working languages of ICAO.
- 13.23.3** **Dispatch**
- 13.23.3.1 The Preliminary Report shall be sent by facsimile, e-mail or airmail within thirty days of the date of the accident unless the Accident/Incident Data Report has been sent by that time. When matters directly affecting safety are involved it shall be sent as soon as the information is available and by the most suitable and quickest means available.
- 13.24** **ACCIDENT/INCIDENT DATA REPORT**
- 13.24.1 RESPONSIBILITY OF THE STATE OF GHANA CONDUCTING THE INVESTIGATION.
- 13.24.2 Accident to Aircraft over 2 250 kg
- 13.24.2.1 When the aircraft involved in an accidents of a maximum mass of over 2 250 kg, the State of Ghana conducting the investigation shall send, as soon as practicable after the investigation, the Accident Data Report to the International Civil Aviation Organization.
- 13.24.3** **Additional Information**
- 13.24.3.1 Accidents and incidents wherever they occurred
- 13.24.3.2 The State of Ghana conducting the investigation shall, upon request, provide other States with pertinent information additional to that made available in the Accident/Incident Data Report.

- 13.24.4 Incidents to Aircraft over 5 700 kg
- 13.24.4.1 If the State of Ghana conducts an Investigation into an aircraft of a maximum mass of over 5,700 kg, it shall send, as soon as practicable after the investigation, the Incident Data Report to the International Civil Aviation Organisation.
- 13.25 FINAL REPORT**
- 13.26 RESPONSIBILITY OF ANY STATE
- 13.25.2 Release of information – Consent**
- 13.25.2.1 No State shall not circulate, publish or give access to a draft report or any part thereof, or any documents obtained during an investigation of an accident or incident, without the express consent of the State of Ghana which conducted the investigation, unless such reports or documents have already been published or released by the State of Ghana.
- 13.25.1 RESPONSIBILITY OF THE STATE OF GHANA CONDUCTING THE INVESTIGATION**
- 13.25.2 Consultation**
- 13.25.2.1 The State of Ghana conducting the investigation shall send a copy of the draft Final Report to that State which instituted the investigation and to all States that participated in the investigation, inviting their significant and substantiated comments on the report as soon as possible. The draft Final Report of the investigation shall be sent for comments to:
- (a) the State of Registry;
 - (b) the State of the Operator;
 - (c) the State of Design; and
 - (d) the State of Manufacture.

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13.25.2.2 If the State of Ghana conducting the investigation receives comments within sixty days of the date of the transmittal letter it shall either amend the draft Final Report to include the substance of the comments received, append the comments to the Final Report. If the State of Ghana conducting the investigation receives no comments within sixty days of the date of the first transmittal letter, it shall issue the Final Report in accordance with 6.10, unless an extension of that period has been agreed by the States concerned.

13.25.2.3 The State of Ghana conducting the investigation may send, through the State of the Operator, a copy of the draft Final Report to the operator to enable the operator to submit comments on the Final Report.

13.25.2.4 The State of Ghana conducting the investigation may send, through the State of Design and the State of the Manufacture a copy of the draft Final Report to the organisations responsible for the type, design and the final assembly of the aircraft to enable them to submit comments on the draft Final Report

13.25.3 Recipient States

13.25.3.1 The Final Report of the investigation of an accident shall be sent with a minimum of delay by the State of Ghana conducting the investigation to

- (a) the State which instituted the investigation;
- (b) the State of Registry
- (c) the State of the Operator;
- (d) the State of Design;
- (e) the State of Manufacture;
- (f) any State having suffered fatalities or serious injuries to its citizens; and
- (g) any State which provided relevant information, significant facilities or experts.

13.25.4 Release of the Final Report

13.25.4.1 In the interest of accident prevention, the State of Ghana conducting the investigation of an accident shall publish the Final Report as soon as possible.

13.25.4.2 The State of Ghana conducting the investigation may release the Final Report in the shortest possible time and, if possible, within twelve months of the date of the occurrence. If the report cannot be released within twelve months, the State of Ghana conducting the investigation may release an interim report on each anniversary of the occurrence, detailing the progress of the investigation and any safety issues raised.

13.25.4.3 When the State of Ghana which has conducted an investigation into an accident involving an aircraft of a maximum mass of over 5700kg, wherever it occurred, has published a Final Report, that State of Ghana shall send to the International Civil Aviation Organization a copy of the Final Report.

13.25.4.4 Safety recommendations

13.25.4.4.1 At any stage of the investigation of an accident or incident, the accident or incident investigation authority of the State conducting the investigation shall recommend to the appropriate authorities, including those in other States, any preventive action that it considers necessary to be taken promptly to enhance aviation safety.

13.25.4.4.2 A State conducting investigation of accidents or incidents shall address, when appropriate, any safety recommendations arising out of its investigation authorities of other State(s) concerned and, when ICAO documents are involved, to ICAO.

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- 13.25.5** **RESPONSIBILITIES OF A STATE RECEIVING SAFETY RECOMMENDATIONS**
- 13.25.6** **Action on safety recommendations**
- 13.25.6.4 A State that receives safety recommendations shall inform the proposing State of the preventive action taken or under consideration, or the reasons why no action will be taken.
- 13.26** **ACCIDENT PREVENTION MEASURES**
- 13.26.1** **Incident reporting systems**
- 13.26.1.1 The State of Ghana shall establish a mandatory incident reporting system to facilitate collection of information on actual or potential safety deficiencies.
- 13.26.1.2 The State of Ghana shall establish a voluntary incident reporting system to facilitate the collection of information that may not be captured by a mandatory incident reporting system.
- 13.26.1.3 A voluntary incident reporting system shall be non-punitive and afford protection to the sources of information.
- 13.26.2 Data base systems
- 13.26.2.1 The State of Ghana shall establish an accident and incident database, to facilitate effective analysis of the information obtained including that from its incident reporting systems.
- 13.26.2.2 The database shall use standardised formats to facilitate data exchange.
- 13.26.2.3 Analysis of data- Preventive actions

- 13.26.2.3.1 The State of Ghana having established an accident and incident database and an incident reporting system shall analyse the information contained in its accident/incident reports and the database to determine any preventive actions required.
- 13.26.2.3.2 If the State of Ghana, in the analysis of the information contained in its database, identifies safety matters considered to be of interest to other States, the State of Ghana shall forward such information to them as soon as possible.
- 13.26.2.3.2.1 In addition to safety recommendations arising from the accident and incident investigations, safety recommendations may result from diverse sources, including safety studies. If safety recommendations are addressed to an organisations in another State's investigation authority.
- 13.26.3 Exchange of safety information the State of Ghana shall promote the establish of safety information sharing networks among all users of the aviation systems and shall facilitate the free exchange of information on actual and potential safety deficiencies

13.27 FORMAT OF THE FINAL REPORT

13.27.1 PURPOSE

For presentation of the Final Report in a convenient and uniform manner, the format below is provided:

13.27.2 FORMAT

- 13.27.2.1 Title.** The Final Report begins with a title comprising:

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Name of the operator; manufacturer, model, nationality and registration marks of the aircraft; place and date of the accident or incident.

13.27.2.3 **Synopsis.** Following the title is a synopsis describing briefly all relevant information regarding:

Notification of accident to national and foreign authorities; identification of the accident investigation authority and accredited representation; organisation of the investigation; authority releasing the report and date of publication; and concluding with a brief résumé of the circumstances leading to the accident.

13.27.2.4 **Body.** The body of the Final Report shall comprise of the following main headings:

- (i) Factual information
- (ii) Analysis
- (iii) Conclusions
- (iv) Safety recommendations

each heading consisting of a number of sub-headings as outlined in the following.

13.27.3 Factual Information

13.27.4 The investigator-in-charge of the accident shall present the report with

13.27.4.1 **History of the flight.** A brief narrative giving the following information:

- (i) Flight number, type of operation, last point of departure, time of departure (local time or UTC), point of intended landing.

- ii) Flight preparation, description of the flight and events leading to the accident, including reconstruction of the significant portion of the flight path, if appropriate.
- iii) Location (latitude, longitude, elevation), time of the accident (local time or UTC), whether day or night.

13.27.4.2 Injuries to persons. Completion of the following (in numbers):

<i>Injuries</i>	<i>Crew</i>	<i>Passengers</i>	<i>Others</i>
Fatal			
Serious			
Minor/None			

13.27.4.3 Damage to aircraft. Brief statement of the damage sustained by aircraft in the accident (destroyed, substantially damaged, slightly damaged, no damage).

13.27.4.4 Other damage. Brief description of damage sustained by objects other than the aircraft.

13.27.4.5 Personnel information:

- (a) Pertinent information concerning each of the flight crew members including: age, validity of licences, ratings, mandatory checks, flying experience (total and on type) and relevant information on duty time.
- (b) Brief statement of qualifications and experience of other crew members.
- (c) Pertinent information regarding other personnel, such as air traffic services, maintenance, etc., when relevant

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13.27.4.6 Aircraft information:

- (a) Brief statement on airworthiness and maintenance of the aircraft (indication of deficiencies known prior to and during the flight to be included, if having any bearing on the accident).
- (b) Brief statement on performance, if relevant, and whether the mass and centre of gravity were within the prescribed limits during the phase of operation related to the accident. (If not and if of any bearing on the accident give details.)
- (c) Type of fuel used.

13.27.4.7 Meteorological information:

- (a) Brief statement on the meteorological conditions appropriate to the circumstances including both forecast and actual conditions, and the availability of meteorological information to the crew.
- (b) Natural light conditions at the time of the accident (sunlight, moonlight, twilight, etc.).

13.27.4.8 Aids to navigation. Pertinent information on navigation aids available, including landing aids such as ILS, MLS, NDB, PAR, VOR, visual ground aids, etc., and their effectiveness at the time.

13.27.4.9 Communications. Pertinent information on aeronautical mobile and fixed service communications and their effectiveness.

13.27.4.10 Aerodrome information. Pertinent information associated with the aerodrome, its facilities and condition, or with the take-off or landing area if other than an aerodrome.

- 13.27.4.11 Flight recorders.** Location of the flight recorder installations in the aircraft, their condition on recovery and pertinent data available there from.
- 13.27.4.12 Wreckage and impact information.** General information on the site of the accident and the distribution pattern of the wreckage; detected material failures or component malfunctions. Details concerning the location and state of the different pieces of the wreckage are not normally required unless it is necessary to indicate a break-up of the aircraft prior to impact. Diagrams, charts and photographs may be included in this section or attached in the Appendices.
- 13.27.4.13 Medical and pathological information.** Brief description of the results of the investigation undertaken and pertinent data available therefrom.
- 13.27.4.14 Fire.** If fire occurred, information on the nature of the occurrence, and of the fire fighting equipment used and its effectiveness.
- 13.27.4.15 Survival aspects.** Brief description of search, evacuation and rescue, location of crew and passengers in relation to injuries sustained, failure of structures such as seats and seat-belt attachments.
- 13.27.4.16 Tests and research.** Brief statements regarding the results of tests and research.
- 13.27.4.17 Organisational and management information.** Pertinent information concerning the organizations and their management involved in influencing the operation of the aircraft. The organisations include, for example, the operator; the air traffic services, airway, aerodrome and weather service agencies; and the regulatory authority. The information could include, but not be limited to, organisational structure and functions, resources, economic status, management policies and practices, and regulatory framework.

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13.27.4.18 **Additional information.** Relevant information not already included in 13.8.3.1 to 13.8.3.7 above.

13.27.4.19 **Useful or effective investigation techniques.** When useful or effective investigation techniques have been used during the investigation, briefly indicate the reason for using these techniques and refer here to the main features as well as describing the results under the appropriate sub-headings 13.8.3.1 to 13.8.3.8.

13.28 **ANALYSIS**

13.28.1 Analyse, as appropriate, only the information documented in 13.8.3. – Factual information and which is relevant to the determination of conclusions and causes

13.29 **CONCLUSIONS**

13.29.1 The safety recommendations shall as appropriate list the findings and causes established in the investigation. The list of causes should include both the immediate and the deeper systemic causes.

13.30 **SAFETY RECOMMENDATIONS**

13.30.1 The safety recommendations shall, as appropriate, briefly state any observations and recommendations made for the purpose of accident prevention and any resultant corrective action. The recommendations shall include, as appropriate, any other pertinent information considered necessary for the understanding of the report.

13.31 **APPENDIX**

13.30.1 The Appendix may include as appropriate any other pertinent information considered as necessary for the understanding of the report. This may include graphs, sketches, pictures, extracts etc. arising out of the investigation