

REGULATION OF THE MINISTER OF TRANSPORTATION OF
THE REPUBLIC OF INDONESIA
NUMBER PM 74 OF 2017
ON
CIVIL AVIATION SAFETY REGULATION PART 830
ON AIRCRAFT ACCIDENT AND SERIOUS INCIDENT
INVESTIGATION PROCEDURES

BY THE BLESSINGS OF THE ALMIGHTY GOD

MINISTER OF TRANSPORTATION OF THE REPUBLIC OF INDONESIA,

- Considering : a. that Regulation of the Ministry of Transportation Number PM 14 of 2015 on Civil Aviation Safety Regulation Part 830 on Notification and Reporting of Aircraft Accidents, Incidents or Arrival Delays and Accident or Serious Incident Investigation Procedures has no longer complied with the provisions as regulated in the ICAO Annex 13 of 11th edition in July 2016;
- b. that based on the consideration as referred to in point a, it is necessary to issue Regulation of the Minister of Transportation on Civil Aviation Safety Regulation Part 830 on Aircraft Accident and Serious Incident Investigation Procedures.
- Observing : 1. Law Number 1 of 2009 on Aviation (State Gazette of the Republic of Indonesia of 2009 Number 1, Supplement to the State Gazette of The Republic of Indonesia Number 4956);
2. Government Regulation Number 3 of 2001 on Aviation Safety and Security (State Gazette of the Republic of Indonesia of 2001 Number 9, Supplement to the State Gazette of the Republic of Indonesia Number 4075);

3. Government Regulation Number 70 of 2001 on Airports (State Gazette of the Republic of Indonesia of 2001 Number 128, Supplement to the State Gazette of the Republic of Indonesia Number 4146);
4. Government Regulation Number 40 of 2012 on Airport Development and Environmental Conservation (State Gazette of the Republic of Indonesia of 2012 Number 71, Supplement to the State Gazette of the Republic of Indonesia Number 5295);
5. Government Regulation Number 60 of 2013 on Transportation Accident Investigation (State Gazette of the Republic of Indonesia of 2013 Number 156, Supplement to the State Gazette of the Republic of Indonesia Number 5448);
6. Presidential Regulation Number 2 of 2012 on National Transportation Safety Committee (*Komite Nasional Keselamatan Transportasi*) (State Gazette of the Republic of Indonesia of 2012 Number 9);
7. Presidential Regulation Number 7 of 2015 on the Organization of State Ministries (State Gazette of the Republic of Indonesia of 2015 Number 8);
8. Presidential Regulation Number 40 of 2015 on Ministry of Transportation (State Gazette of the Republic of Indonesia of 2015 Number 75);
9. Decree of the Minister of Transportation Number T11/2/4-U on 30 September 1960 on Civil Aviation Safety Regulations (CASR) as frequently amended, and last by Civil Aviation Safety Regulations PART 69 on Air Traffic Services Personnel Licensing, Rating, Training and Proficiency (State Bulletin of the Republic of Indonesia of 2014 Number 38);
10. Regulation of the Minister of Transportation Number PM 127 of 2015 on National Civil Aviation Security Program (State Bulletin of the Republic of Indonesia of 2015 Number 1288) as amended by Regulation of the Minister of Transportation Number PM 90 of 2016 on Amendment to Regulation of the Minister of Transportation Number PM 127 of 2015 on National Civil Aviation Security Program (State Bulletin of the Republic of Indonesia of 2016 Number 1069);

11. Regulation of the Minister of Transportation Number PM 189 of 2015 on Organization and Management of the Ministry of Transportation (State Bulletin of the Republic of Indonesia of 2015 Number 1844), as frequently amended, and last by Regulation of the Minister of Transportation Number 44 of 2017 on the Second Amendment to Organization and Management of the Ministry of Transportation (State Bulletin of the Republic of Indonesia of 2017 Number 816);
12. Regulation of the Minister of Transportation Number PM 48 of 2012 on Organization and Management of the KNKT Secretariat (State Bulletin of the Republic of Indonesia of 2012 Number 956).

HAS DECIDED:

To issue : REGULATION OF THE MINISTER OF TRANSPORTATION ON CIVIL AVIATION SAFETY REGULATION PART 830 ON AIRCRAFT ACCIDENT AND SERIOUS INCIDENT INVESTIGATION PROCEDURES.

Article 1

- (1) Enforcing Civil Aviation Safety Regulation Part 830 on Aircraft Accident and Serious Incident Investigation Procedures.
- (2) Civil Aviation Safety Regulation Part 830 on Aircraft Accident and Serious Incident Investigation Procedures, are contained in the Annex as an integral part of this Ministerial Regulation.

Article 2

Further provisions concerning Civil Aviation Safety Regulation Part 830) on Aircraft Accident and Serious Incident Investigation Procedures, as referred to in Article 1 in accordance with their authorities are regulated by Regulation of the Director General of Civil Aviation and Regulation of the Chairman of the National Transportation Safety Committee (*Komite Nasional Keselamatan Transportasi*).

Article 3

Stakeholders who do not report on the occurrence of aircraft accidents and serious incidents are subject to sanctions in

accordance with the provisions of the laws and regulations.

Article 4

The Director General of Civil Aviation and the Chairman of the the National Transportation Safety Committee (*Komite Nasional Keselamatan Transportasi*) coordinate and supervise in accordance with the field of duty and authority over the implementation of this Ministerial Regulation.

Article 5

The Director General of Civil Aviation and the Chairman of the the National Transportation Safety Committee (*Komite Nasional Keselamatan Transportasi*) in conducting coordination and supervision prioritize dissemination to stakeholders in order to prevent accidents.

Article 6

At the time this Regulation of the Minister of Transportation comes into force, Regulation of the Minister of Transportation Number PM 14 of 2015 on Civil Aviation Safety Regulation 830 on Notification and Reporting of Aircraft Accidents, Serious Incidents, and Aircraft Accident and Serious Incident Investigation Procedures (State Bulletin of the Republic of Indonesia of 2015 Number 112) is repealed and declared ineffective.

Article 7

This Ministerial Regulation comes into force on the date of its promulgation.

In order that every person may know hereof, it is ordered to promulgate this Ministerial Regulation by its placement in State Bulletin of the Republic of Indonesia.

Issued in Jakarta
on 21 August 2017

MINISTER OF TRANSPORTATION OF
THE REPUBLIC OF INDONESIA,

signed

BUDI KARYA SUMADI

Promulgated in Jakarta
on 22 August 2017

DIRECTOR GENERAL OF LEGISLATION OF
MINISTRY OF LAW AND HUMAN RIGHTS OF
THE REPUBLIC OF INDONESIA,

signed

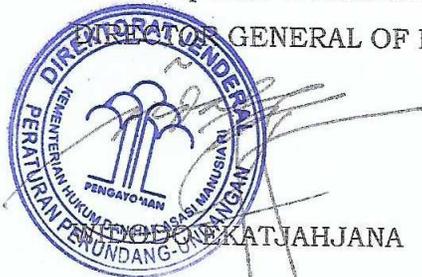
WIDODO EKATJAHJANA

STATE BULLETIN OF THE REPUBLIC OF INDONESIA OF 2017 NUMBER 1155

Jakarta, 8 September 2017

Has been translated as an Official Translation
on behalf of Minister of Law and Human Rights
of the Republic of Indonesia

DIRECTOR GENERAL OF LEGISLATION,



ANNEX OF
REGULATION OF THE MINISTER OF
TRANSPORTATION OF THE REPUBLIC OF
INDONESIA
NUMBER PM 74 OF 2017
ON
CIVIL AVIATION SAFETY REGULATION PART
830 ON AIRCRAFT ACCIDENT AND SERIOUS
INCIDENT INVESTIGATION PROCEDURES

CIVIL AVIATION SAFETY REGULATION
(CASR)

PART 830

AIRCRAFT ACCIDENT AND SERIOUS INCIDENT INVESTIGATION PROCEDURES

THE REPUBLIC OF INDONESIA
THE MINISTRY OF TRANSPORTATION

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SUBPART 830.A. GENERAL

830.1 Applicability

- a. The specifications in this Part apply to activities following accidents and serious incident involving civil aircraft within the territory of Republic of Indonesia and Indonesian interest as specifically described in relevant article.
- b. The specifications in this Part concerning the Indonesian aircraft apply when the aircraft is leased, chartered or interchanged with other State of the Operator and when that State discharges responsibility to investigate accident and serious incident, in part or in whole, therefore, the functions and obligations of Indonesia as the State of Registry applied.
- c. The procedure stated in this Part refers to Annex 13 “Aircraft Accident and Incident Investigation” of the Chicago Convention on International Civil Aviation and its amendments.

830.2 Definitions

When the following terms are used in this Part for Aircraft Accident and Serious Incident Investigation, they have the following meanings:

1. **Accident.** An occurrence associated with the operation of an aircraft in which, in the case of a manned aircraft, takes place between the time any person boards the aircraft with the intention of flight until such time as all such persons have disembarked, or in the case of an unmanned aircraft, takes place between the time the aircraft is ready to move with the purpose of flight until such time as it comes to rest at the end of the flight and the primary propulsion system is shut down, in which:
 - a. person is fatally or seriously injured as a result of:
 - 1) being in the aircraft, or
 - 2) direct contact with any part of the aircraft, including parts which have become detached from the aircraft, or
 - 3) 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; or

- b. the aircraft sustains damage or structural failure which:
 - 1) adversely affects the structural strength, performance or flight characteristics of the aircraft, and
 - 2) would normally require major repair or replacement of the affected component,
except for engine failure or damage, when the damage is limited to a single engine (including its cowlings or accessories), to propellers, wing tips, antennas, probes, vanes, tires, brakes, wheels, fairings, panels, landing gear doors, windshield, the aircraft skin (such as small dents or puncture holes), or for minor damages to main rotor blades, tail rotor blades, landing gear, and those resulting from hail or bird strike (including holes in the radome);
- c. or the aircraft is missing or is completely inaccessible.

Guidance for the determination of aircraft damage can be found in Appendix C of this Part.

- 2. **Accident Investigation Authority.** The authority designated by a State as responsible for aircraft accident and incident investigations within the context of ICAO Annex 13.
- 3. **Accredited Representative.** A person designated by a State, on the basis of his or her qualifications, for the purpose of participating in an investigation conducted by another State. Where the State has established an accident investigation authority, the designated accredited representative would normally be from that authority.
- 4. **Adviser.** A person appointed by the investigation authority, on the basis of his or her qualifications, for the purpose of assisting its accredited representative in an investigation.
- 5. **Aircraft.** Any machine that can derive support in the atmosphere from the reactions of the air other than the reactions of the air against the earth's surface.
- 6. **Airplane/Aeroplane.** A power-driven heavier-than-air aircraft, deriving its lift in flight chiefly from aerodynamic reaction on surfaces which remain fix under given conditions of flight.

7. **Civil Aircraft.** Any aircraft used for commercial and non-commercial air transportation purposes.
8. **Commercial Air Transport.** An aircraft operation involving the transport of passengers, cargo or mail for remuneration or hire.
9. **Non-commercial Air Transport.** An aircraft operation, not for remuneration or hire, to serve private purposes to support the main objective of the organization, other than air transportation.
10. **Indonesian Aircraft.** Any aircraft that has registered in Indonesia and marked Indonesian nationality.
11. **Causes.** Actions, omissions, events, conditions, or a combination thereof, which led to the accident or serious incident. The identification of causes does not imply the assignment of fault or the determination of administrative, civil or criminal liability.
12. **Contributing Factors.** Actions, omissions, events, conditions, or a combination thereof, which, if eliminated, avoided or absent, would have reduced the probability of the accident or incident occurring, or mitigated the severity of the consequences of the accident or incident. The identification of contributing factors does not imply the assignment of fault or the determination of administrative, civil or criminal liability.
13. **Director General.** Director General of Civil Aviation.
14. **Flight Recorder.** Any type of recorder installed in the aircraft for the purpose of complementing accident/incident investigation.
15. **Incident.** An occurrence, other than an accident, associated with the operation of an aircraft which affects or could affect the safety of operation.
16. **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/or contributing factors and, when appropriate, the making of safety recommendations.

17. **Investigator.** A person on the basis of his or her qualification and competency to conduct transportation safety investigation.
18. **Investigator-in-Charge (IIC).** A person charged, on the basis of his or her qualifications, with the responsibility for the accident investigation authority, conduct and control of an investigation.
19. **National Transportation Safety Committee (*Komite Nasional Keselamatan Transportasi, KNKT*).** Indonesian accident investigation authority that is independent from State aviation authorities and other entities that could interfere with the conduct or objectivity of an investigation.
20. **Operator.** The person, organization or enterprise engaged in or offering to engage in an aircraft operation.
21. **Preliminary Report.** The communication used for the prompt dissemination of data obtained during the early stages of the investigation.
22. **Regional Accident and Incident Investigation Organization (RAIO).** The investigation authority of several States responsible to conduct investigation in accordance to the ICAO Annex 13 for accident and serious incident that is occurred in the member State.
23. **Safety Recommendation.** A proposal of an accident investigation authority based on information derived on investigation, made with the intention of preventing accidents or incidents and which in no case has the purpose of creating a presumption of blame or liability for an accident or incident. In addition to safety recommendations arising from accident and incident investigations, safety recommendations may result from diverse sources including safety studies.
24. **Serious Incident.** An incident involving circumstances indicating that there was a high probability of an accident and associated with the operation of an aircraft which, in the case of a manned aircraft, takes place between the time any person boards the aircraft with the intention of flight until such time as all such persons have disembarked, or in the case of an unmanned aircraft, takes place between the time the aircraft is ready to move with the purpose of flight until

such time as it comes to rest at the end of the flight and the primary propulsion system is shut down. Examples of serious incidents can be found in Appendix B in this Part.

25. **Serious Injury.** An injury which is sustained by a person in an accident and which:
- a. requires hospitalization for more than 48 hours, commencing within seven days from the date the injury was received; or
 - b. results in a fracture of any bone (except simple fractures of fingers, toes or nose); or
 - c. involves lacerations which cause severe haemorrhage, nerve, muscle or tendon damage; or
 - d. involves injury to any internal organ; or
 - e. involves second or third degree burns, or any burns affecting more than 5 per cent of the body surface; or
 - f. involves verified exposure to infectious substances or injurious radiation.
26. **State of Design.** The State having jurisdiction over the organization responsible for the type design.
27. **State of Manufacture.** The State having jurisdiction over the organization responsible for the final assembly of the aircraft.
28. **State of Occurrence.** The State in the territory of which an accident or serious incident occurs.
29. **State of the Operator.** The State in which the operator's principal place of business is located or, if there is no such place of business, the operator's permanent residence.
30. **State of Registry.** The State on whose register the aircraft is entered.
31. **Unmanned Aircraft.** An aircraft operated without the possibility of direct human intervention from within or on the aircraft.

830.3 Objective of the Investigation

The sole objective of the investigation of an accident or serious incident shall be the prevention of accidents and serious incidents. The purpose of the investigation is not to apportion blame or liability.

830.4 Protection of Evidence, Custody and Removal of Aircraft

- a. KNKT 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 or by request of the State of Registry, State of the Operator, State of Design and State of Manufacture as far as this is reasonably practicable and compatible with KNKT consideration, provided that it does not result in undue delay in returning the aircraft to service where this is practicable.
- b. Airport Authority, Aircraft Operator, Airport Operator where the accident or serious incident of civil aircraft occurs or Security Apparatus if accident or serious incident occurs outside the airport area, shall:
 - 1) protect aircraft personnel and passengers;
 - 2) protect the evidence to prevent actions that can change the position or damage of the aircraft, its contents, and any other evidence.
- c. 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 unauthorized persons, pilfering and deterioration.
- d. Prior to the time of KNKT or their authorized representative takes custody of aircraft wreckage, mail, or cargo, such wreckage, mail, or cargo may not be disturbed or moved except to the extent necessary:
 - 1) to extricate persons, animals, mail and valuables;
 - 2) to prevent destruction by fire or other causes; or
 - 3) to eliminate any danger or obstruction to air navigation, other transport or the public.

If necessary to move the aircraft, its parts or other items left as a result of an accident or serious incident of civil aircraft, sketches, descriptive notes and photograph shall be made, if possible of the original position and condition of the wreckage, and any significant impact marks.

830.5 Release of Custody

KNKT shall release custody of the aircraft, its contents or any parts thereof as mentioned in Subpart 830.4 a, as soon as they are no longer required in the investigation, to any person or persons duly designated by aircraft operator, the State of Registry or the State of the Operator, as applicable. For this purpose, KNKT shall facilitate access to the aircraft, its contents or any parts thereof, provided that, if the aircraft, its contents, or any parts thereof lie in an area within Indonesia which KNKT finds it impracticable to grant such access, it shall itself effect removal to a point where access can be given.

SUBPART 830.B. OCCURRENCE REPORT

830.6 Mandatory Occurrence Report

- a. Indonesian operators or foreign operators shall immediately, with the minimum delay and by the most suitable and quickest means available, shall report to the *Komite Nasional Keselamatan Transportasi* (KNKT) when an aircraft accident or serious incident occurs within Indonesia territory.
- b. The operators involved in the accident or serious incident shall submit written occurrence report to KNKT within 24 hours after the accident or serious incident occurred, contains information collected in accordance with appendix A in this Part.

830.7 Voluntary Occurrence Report

- a. Any person who has knowledge of any accident or incident should report as a voluntary report to the Director General or KNKT or nearest transportation authority office or any government official offices as soon as is reasonably practicable and by any means.
- b. Any government official who received a voluntary occurrence report shall forward it to the Director General and the KNKT as soon as is reasonably by a practicable means.
- c. Avoluntary occurrence report as stated in point (a) and (b) above, shall be non-punitive and afford protection to the sources of the information.

830.8 Occurrence Report Format

- a. The immediate Mandatory and Voluntary Occurrence Report shall contain available information related to the occurrence.
- b. The written Mandatory Occurrence Report shall be in plain language and contain as much of information available as possible, but its dispatch as requires on Subpart 830.6 shall not be delayed due to the lack of complete information.
- c. The form of written Mandatory Occurrence Report is available on Appendix A in this Part.

830.9 Determination of Occurrence Classification

- a. All report of occurrence shall be reviewed to determine the final classification by KNKT.

- b. If the result of review indicated that the occurrence classified as incident, KNKT shall forward the report to Director General.

830.10 Notification

- a. The KNKT shall forward a notification of an accident or serious incident occurs within Indonesia territory as soon as practicable, to:
 - 1) the State of Registry;
 - 2) the State of the Operator;
 - 3) the State of Design;
 - 4) the State of Manufacture; and
 - 5) the ICAO, when the aircraft involved is of a maximum mass of over 2,250 kg or is a turbojet-powered aeroplane.
- b. If a serious incident involving Indonesian registered or operated aircraft and the State of Occurrence is not aware, KNKT shall forward a notification of such an incident to the State of Design, the State of Manufacture and the State of Occurrence.
- c. Upon receipt of the notification of accident or serious incident involving Indonesian registered, operated, designed and manufactured aircraft, KNKT shall, as soon as possible:
 - 1) provides the State conducting investigation with any relevant information available to them regarding the aircraft and flight crew involved in the accident or serious incident and details of dangerous goods on board the aircraft.
 - 2) inform the State conducting investigation 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 travel to the State of Occurrence or State conducting investigation.
- d. In accordance with Subpart 830.10 c, Indonesian aircraft operator, organization responsible for the type design or final assembly as soon as possible, shall provide KNKT with any relevant information available regarding the aircraft and flight crew involved in the accident or serious incident and details of dangerous goods on board the aircraft as practicable.

SUBPART 830.C. INTERNATIONAL OBLIGATION

830.11 Accredited Representative and Adviser

- a. In the case of the Indonesian registered, operated, designed and/or manufactured aircraft has experienced an accident or serious incident occur in the territory of other State, the KNKT may appoint an accredited representative to participate in the investigation conducted by other State.
- b. When a person or organization in Indonesia which on request of State conducting investigation to provide information, facilities or experts, KNKT shall be entitled to appoint an accredited representative to participate in the investigation.
- c. KNKT may appoint one or more advisers, proposed by the operators or may calling upon the best technical experts from any source and appointing such experts as advisers to assist the accredited representative.
- d. The advisers shall:
 - 1) provide the State conducting the investigation with all relevant information available to them through accredited representative; and
 - 2) not divulge information on the progress and the findings of the investigation without the express consent of the State conducting the investigation.

830.12 Expert

- a. KNKT may appoint an expert in an investigation of accident conducted by other State by virtue of fatalities or serious injuries to Indonesian citizen.
- b. Expert as mentioned in Subpart 830.12 a, is Indonesia representative to assist the interest of the victim and/or its next of kin.

830.13 Information Distribution

- a. Upon requested from the State conducting investigation, involving Indonesian registered or operated aircraft, KNKT shall provide pertinent information on any organization whose activities may have directly or indirectly influenced the operation of the aircraft.
- b. Any Indonesian provider of facilities or services of which have been, or would normally have been, used by an aircraft prior to an accident or an incident, and which has information pertinent to the investigation, shall provide such information to the State conducting the investigation through KNKT.

- c. All personnel participate in an investigation conducting by other 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 conducting the investigation, unless such reports or documents have already been published or released by that latter State.

830.14 Flight Recorder of Other State Investigation

When an aircraft involved in an accident or a serious incident lands in Indonesia which Indonesia is not the State of Occurrence, the State of Registry or the State of the Operator, KNKT shall, on request from the State conducting the investigation, furnish the latter State with the flight recorder records and, if necessary, the associated flight recorders.

SUBPART 830.D. INVESTIGATION PROCEDURES

830.15 Responsibility and Authority of KNKT

- a. KNKT is the agency charged with fulfilling the obligations of the Republic of Indonesia to the Annex 13 to the Chicago Convention on International Civil Aviation.
- b. KNKT is responsible to institute an investigation into the circumstances of the aircraft accident and serious incident occurs within Indonesia territory. KNKT may delegate the whole or any part of the conducting of such investigation to another State or a Regional Accident and Incident Investigation Organization (RAIO) by mutual arrangement and consent. In any event the KNKT shall use every means to facilitate the investigation.
- c. KNKT may conduct investigation delegated by other State in whole or any part of it.
- d. In the case of investigation of an unmanned aircraft system, only aircraft with a design and/or operational approval are to be considered.
- e. When the location of the accident or the serious incident of Indonesian registered aircraft cannot definitely be established as being in the territory of any State, KNKT shall institute and conduct any necessary investigation. However, it may delegate the whole or any part of the investigation to another State by mutual arrangement and consent.
- f. When the accident or the serious incident of Indonesian registered aircraft has occurred in a territory of a non-Contracting State which does not intent to conduct an investigation in accordance with ICAO Annex 13, KNKT should endeavour to institute and conduct an investigation in cooperation with the State of Occurrence but, failing such cooperation, should itself conduct an investigation with such information as is available.
- g. KNKT investigation shall normally include:
 - 1) the gathering, recording and analysis of all relevant information on that accident or serious incident;
 - 2) the protection of certain accident and serious incident investigation records;
 - 3) if appropriate, the issuance of safety recommendations;
 - 4) if possible, the determination of the causes and/or contributing factors; and
 - 5) the completion of the Final Report.
- h. Where feasible, the scene of the accident shall be visited, the wreckage examined and statements taken from witnesses.

- i. The extent of the investigation and the procedure to be followed in carrying out such an investigation shall be determined by KNKT, depending on the lessons it expects to draw from the investigation for the improvement of safety.
- j. While conducting investigation, KNKT shall be provided unrestricted access to all evidential material without delay by operator and/or related organization.
- k. In any stage of the investigation process, when an unlawful interference become known or suspected, KNKT shall immediately initiate action to ensure that the Civil Servant Investigators are so informed.

830.16 Investigator-in-Charge (IIC)

- a. The KNKT shall designate an Investigator-in-charge (IIC) of the investigation.
- b. The IIC have unhampered access to the wreckage and all relevant material, including flight recorders and Air Traffic Services (ATS) records, and have unrestricted control over it to ensure that a detailed examination can be made without delay by authorized personnel participating in the investigation.
- c. The IIC or his/her delegation responsible for the safety of personnel authorized to have access to accident or serious incident site and/or wreckage.

830.17 Authority of Investigator

Investigator is authorized:

- a. to have access to enter any transportation facilities and infrastructure where an accident or serious incident has occurred; or wherever the wreckage from any such accident or serious incident is located in order to conduct investigation activities.
- b. to interview witness, any person involved or any person considered having information of accident or serious incident.
- c. to take custody, occupy, remove, examine or test any wreckage, documents, component, parts or equipment involved or related to the accident or serious incident for such period as maybe necessary for the purpose of an investigation.

830.18 Autopsies and Medical Examination

- a. KNKT while conducting the investigation into a fatal accident shall arrange for expeditious and 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.
- b. The KNKT is authorized to obtain copy of the autopsy report of transportation accident victim(s).

- c. When appropriate, KNKT while conducting the investigation should arrange for expeditious medical examination of the crew, passengers and involved aviation personnel, by a physician, preferably experienced in accident investigation

830.19 Parties to the Investigation

- a. No party to the investigation shall be represented in any aspect of the KNKT who also represent claimant or insurer or occupy legal position.
- b. The personnel authorized by the IIC to participate in any particular investigation may have access to accident or serious incident site, wreckage, records, mail, or cargo in the KNKT custody.
- c. Parties involved in KNKT investigation 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 KNKT, unless such reports or documents have already been published or released by KNKT.

830.20 Consultation

- a. KNKT shall send a copy of the draft Final Report to the following States inviting their significant and substantiated comments on the report as soon as possible:
 - 1) the State that instituted the investigation;
 - 2) the State of Registry;
 - 3) the State of the Operator;
 - 4) the State of Design;
 - 5) the State of Manufacture;
 - 6) any State that participated in the investigation; and
 - 7) operator or organization involved.
- b. If KNKT 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 or, if desired by the State, operator or organization that provided comments, append the comments to the Final Report.
- c. If KNKT receives no comments within sixty days of the date of the first transmittal letter, it shall issue the Final Report, unless an extension of that period has been agreed by the parties concerned.

830.21 Final Report

- a. KNKT shall send a copy of the Final Report to the following States:
 - 1) the State that instituted the investigation;
 - 2) the State of Registry;
 - 3) the State of the Operator;
 - 4) the State of Design;
 - 5) the State of Manufacture;
 - 6) any State that participated in the investigation;
 - 7) any State having suffered fatalities or serious injuries to its citizen;
 - 8) any State that provided relevant information, significant facilities or experts;
 - 9) ICAO, if involving an aircraft of maximum mass of over 5,700 kg; and
 - 10) operator or organization involved.
- b. In the interest of accident prevention, KNKT shall make the Final Report publicly available as soon as possible and, if possible, within twelve months and make publicly available by posting on the internet.

830.22 Safety Recommendation

- a. At any stage of the investigation of an accident or serious incident, KNKT shall recommend in a dated transmittal correspondence to the appropriate authorities, including those in other States, when ICAO documents are involved, to ICAO any preventive action that it considers necessary to be taken promptly to enhance aviation safety.
- b. Operator or organization that receives safety recommendations from KNKT or other State shall inform KNKT, within ninety days of the date of the transmittal correspondence, of the preventive action taken or under consideration, or the reasons why no action will be taken.
- c. In addition to safety recommendations arising from accident and serious incident investigations, safety recommendations may result from diverse sources, including safety studies.

830.23 Reopening of Investigation

If, after the investigation has been closed, new and significant evidence becomes available, KNKT shall reopen it. However, when KNKT did not institute the investigation, KNKT shall first obtain the consent of the State which instituted the investigation.

830.24 Database and Preventive Actions

- a. Director General shall establish and maintain an accident and incident database to facilitate the effective analysis of information on actual or potential safety deficiencies and to determine any preventive actions required.
- b. KNKT shall provide information of accident and serious incident to the Director General to be included in the database which mentioned in Subpart 830.24 a.

MINISTER OF TRANSPORTATION OF
THE REPUBLIC OF INDONESIA,

signed

BUDI KARYA SUMADI

APPENDIX A: MANDATORY OCCURRENCE REPORT

Mandatory Occurrence Form 830.01



**MINISTRY OF TRANSPORTATION OF THE REPUBLIC OF INDONESIA
KEMENTERIAN PERHUBUNGAN REPUBLIK INDONESIA**

1. Type of Occurrence Jenis Peristiwa	<input type="checkbox"/> Serious Incident Insiden Serious		<input type="checkbox"/> Accident Kecelakaan	
2. Aircraft Identification Identitas Pesawat	Manufacturer Pabrikan :			
	Model/Type Model/Tipe :			
	Registration Registrasi :			
	Serial Number Nomer Seri :			
3. Aircraft Information Informasi Pesawat Udara	Aircraft Owner Pemilik Pesawat Udara :			
	Aircraft Operator Operator Pesawat Udara :			
4. Crew and passengers Identification Identitas Awak dan Penumpang	Pilot-In-Command qualification Kualifikasi Pilot – In - Command : (ATPL / CPL / PPL / Other)			
	Flight Crew Nationality Kebangsaan Awak Pesawat :			
	Passengers nationality Kebangsaan Penumpang :			
5. Occurrence Time Waktu Kejadian		Local Time Waktu Setempat		UTC
	Date Tanggal
	Time Jam WIB / WITA / WIT	
6. Flight Plan Rencana Penerbangan	Last Point of Departure Tempat Keberangkatan :			
	Point of Intended Landing Tempat Tujuan Pendaratan :			
7. Type of Flight Operation Tipe Penerbangan	<input type="checkbox"/> Commercial Aviation Penerbangan Komersil <input type="checkbox"/> General Aviation General Aviation <input type="checkbox"/> Other / Lain-lain	<input type="checkbox"/> Scheduled Berjadwal <input type="checkbox"/> Non-Scheduled Tidak Berjadwal	<input type="checkbox"/> Passenger Berpenumpang <input type="checkbox"/> Cargo Muatan Barang <input type="checkbox"/> Other / Lain-lain	

8. Presence and description of dangerous goods on board <i>Keberadaan barang berbahaya di dalam pesawat udara</i>	<input type="checkbox"/> None <i>Tidak ada</i>	<input type="checkbox"/> Yes (please describe) <i>Ada (sebutkan)</i>	<input type="checkbox"/> Unknown <i>Tidak diketahui</i>	
9. Damage of the aircraft so far as is known <i>Kerusakan Pesawat udara yang diketahui</i>	<input type="checkbox"/> Destroyed <i>Hancur</i>	<input type="checkbox"/> Substansial <i>Rusak Berat</i>	<input type="checkbox"/> Minor <i>Rusak Ringan</i>	<input type="checkbox"/> None <i>Tidak Rusak</i>
10. Site of Occurrence <i>Tempat Kejadian</i>	Latitude°',” N/S <i>Lintang</i>°',” U/S		Longitude°',” W/E <i>Bujur</i>°',” B/T	
	Physical characteristics and reference to some easily defined geographical point (near river, mountain etc) <i>Karakteristik lokasi dan titik acuan terhadap lokasi geografis yang mudah dikenali (dekat sungai, gunung dsb)</i> Indication of access difficulties or special requirement to reach the site : <i>Tingkat kesulitan menuju lokasi atau peralatan khusus yang diperlukan:</i>			
11. Number of Crew and Passenger <i>Jumlah Awak dan Penumpang</i>	Person on board are pilot(s), attendant(s) and passenger(s) <i>Jumlah orang..... penerbang, awak kabin dan penumpang</i>			
	Fatal <i>Meninggal</i> crew <i>awak</i> passenger <i>penumpang</i> other <i>lain-lain</i>
	Serious Injury <i>Cedera Serius</i> crew <i>awak</i> passenger <i>penumpang</i> other <i>lain-lain</i>
	Minor Injury <i>Cedera Ringan</i> crew <i>awak</i> passenger <i>penumpang</i> other <i>lain-lain</i>
12. Description of occurrence <i>Uraian Kejadian</i>			

Reported by
Dilaporkan oleh

Place : **Date** :
Tempat : **Tanggal** :

Name :
Nama :
Position :
Jabatan :
Sign :
Tanda Tangan :

Please report to:
Laporkan kepada:

Komite Nasional Keselamatan Transportasi
 Gedung Perhubungan Lt. 3
 Jl. Medan Merdeka Timur No. 5 Jakarta 10110 Indonesia
 Telp. : (62-21) 3517606
 Mobile : (62) 81212655155
 Fax. : (62-21) 3517606
 Email : knkt@dephub.go.id
 aviation.knkt@dephub.go.id

APPENDIX B: LIST OF EXAMPLES OF SERIOUS INCIDENT

1. Near collisions requiring an avoidance manoeuvre to avoid a collision or an unsafe situation or when an avoidance action would have been appropriate.
2. Collisions not classified as accidents.
3. Controlled flight into terrain only marginally avoided.
4. Aborted take-offs on a closed or engaged runway, on a taxiway (excluding authorized operation by helicopter) or unassigned runway.
5. Take-offs from a closed or engaged runway, from a taxiway (excluding authorized operation by helicopter) or unassigned runway.
6. Landings or attempted landings on a closed or engaged runway, on a taxiway (excluding authorized operation by helicopter) or unassigned runway.
7. Gross failures to achieve predicted performance during take-off or initial climb.
8. Fires and/or smoke in the cockpit, in the passenger compartment, in cargo compartments or engine fires, even though such fires were extinguished by the use of extinguishing agents.
9. Events requiring the emergency use of oxygen by the flight crew.
10. Aircraft structural failures or engine disintegrations, including uncontained turbine engine failures, not classified as an accident.
11. Multiple malfunctions of one or more aircraft systems seriously affecting the operation of the aircraft.
12. Flight crew incapacitation in flight.
13. Fuel quantity level or distribution situations requiring the declaration of an emergency by the pilot, such as insufficient fuel, fuel exhaustion, fuel starvation, or inability to use all usable fuel on board.
14. Runway incursions classified with severity A. The ICAO Document 9870: Manual on the Prevention of Runway Incursions contains information on the severity classifications.
15. Take-off or landing incidents. Incidents such as under-shooting, overrunning or running off the side of runways.
16. System failures, weather phenomena, operations outside the approved flight envelope or other occurrences which caused or could have caused difficulties controlling the aircraft.
17. Failures of more than one system in a redundancy system mandatory for flight guidance and navigation.
18. The unintentional or, as an emergency measure, the intentional release of a slung load or any other load carried external to the aircraft.

APPENDIX C: GUIDANCE FOR THE DETERMINATION OF AIRCRAFT DAMAGE

1. If an engine separates from an aircraft, the event is categorized as an accident even if damage is confined to the engine.
2. A loss of engine cowls (fan or core) or reverser components which does not result in further damage to the aircraft is not considered an accident.
3. Occurrences where compressor or turbine blades or other engine internal components are ejected through the engine tail pipe are not considered accidents.
4. A collapsed or missing radome is not considered an accident unless there is related substantial damage in other structures or systems.
5. Occurrences of missing flaps, slats and other lift augmenting devices, winglets, etc., that are permitted for dispatch under the configuration deviation list (CDL) are not considered accidents.
6. Retraction of a landing gear leg or wheels-up landing, resulting in skin abrasion only, when the aircraft can be safely dispatched after minor repairs or patching, and subsequently undergoes more extensive work to effect a permanent repair, would not be classified as an accident.
7. If the structural damage is such that the aircraft depressurizes, or cannot be pressurized, the occurrence is categorized as an accident.
8. The removal of components for inspection following an occurrence, such as the precautionary removal of an undercarriage leg following a low-speed runway excursion, while involving considerable work, is not considered an accident unless significant damage is found.
9. Occurrences that involve an emergency evacuation are not counted as accidents unless someone receives serious injuries or the aircraft has sustained significant damage.

Note:

- Regarding aircraft damage which adversely affects the structural strength, performance or flight characteristics, the aircraft may have landed safely, but cannot be safely dispatched on a further sector without repair.
- If the aircraft can be safely dispatched after minor repairs and subsequently undergoes more extensive work to effect a permanent repair, then the occurrence would not be classified as an accident. Likewise, if the aircraft can be dispatched under the CDL with the affected component removed, missing or inoperative, the repair would not be considered as a major repair and consequently the occurrence would not be considered an accident.

- The cost of repairs, or estimated loss, such as provided by insurance companies may provide an indication of the damage sustained but should not be used as the sole guide as to whether the damage is sufficient to count the occurrence as an accident. Likewise, an aircraft may be considered a “hull loss” because it is uneconomic to repair, without it having incurred sufficient damage to be classified as an accident.

MINISTER OF TRANSPORTATION OF
THE REPUBLIC OF INDONESIA,

signed

BUDI KARYA SUMADI