

CCAR 396: Safety Information Management Regulation (Revision 4)

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Chapter 1 General Principle

Article 1 This provision has been established in accordance with national laws and administration rules of "Safe Production Law of People's Republic of China" and "Civil Aviation Law of People's Republic of China" to standardize the collection, analysis, and application of civil aviation safety information, achieve the share of safety information, advocate SMS development, timely observe safety potential, control the risk, and prevent from civil aviation accident.

Article 2 This provision is applicable for civil aviation safety information management of Civil Aviation Administration of China (abbreviated as CAAC hereafter), CAAC Regional Administration Bureau (abbreviated as CAAC Regional Administration hereafter), China Civil Aviation Safety Supervision Management Bureau, China Civil Aviation Safety Supervision Operation Office (abbreviated as Civil Aviation Supervision Administration Bureau), and civil aviation enterprise and institution entities registered in People's Republic of China (abbreviated as enterprise and institution entities) and corresponding employees.

This provision shall also be observed for civil aviation safety information management of Foreign public air transport carrier who implements the operation inside national territory of People's Republic of China (abbreviated as foreign airlines hereafter) and the individual.

Article 3 Civil aviation safety information defined in this provision refers to event information, safety supervision information, and general safety information.

(1) Event information refers to aircraft damage, personnel injury or death or other condition (that affects flight safety) arisen in civil aircraft operation phase or airport traffic zone, which mainly includes the information of civil aircraft accident (abbreviated as accident hereafter), civil aircraft incident (abbreviated as incident hereafter) and general event of civil aircraft (abbreviated as general event);

(2) Safety supervision information refers to the information of supervision check and other administrative law enforcement tasks organized and implemented by each function department of CAAC Regional Administration Bureau and Civil Aviation Supervision Administration Bureau;

(3) General safety information refers to the safety management and operation information of enterprise and institution entity, including the information of safety management organization and corresponding personnel of enterprise and institution, the information of flight quality supervision, the information of safety potential, and the information of flight recorder, etc.

Article 4 The principle of unified management and hierarchical responsibility is implemented to civil aviation safety information task.

CAAC civil aviation safety information supervision department is responsible for the unified supervision and management on national civil aviation safety information tasks, and for the organization and development of China civil aviation safety information system used for the collection, analysis and release of civil aviation safety information.

Civil aviation safety information supervision departments of CAAC Regional Administration Bureau and Civil Aviation Supervision Administration Bureau are responsible for civil aviation safety information task in local administration region.

Article 5 The enterprise and institution entities are responsible for civil aviation safety information tasks of local entity, for developing civil aviation safety information management procedure including voluntary report, and for establishing civil aviation safety information mechanism provided with collection, analysis, and release function. Civil aviation safety information management procedures of enterprise and institution entities shall be reported to Civil Aviation Supervision Administration Bureau of local region for filing.

Article 6 CAAC supports the development of CAAC voluntary safety report system, and encourages the individual to actively report those safety deficiencies and potentials in aviation system.

Article 7 CAAC supports the implementation of technique study on the collection, analysis, and application of civil aviation safety information, and grants the commendation and award to those entities and individuals that have contributed outstanding dedications to civil aviation safety information management tasks.

Article 8 The Administrator and enterprise and institution entities shall make full use of collected civil aviation safety information, evaluate the safety status and tendency, and achieve the information-driven safety management. Civil aviation safety information amount does not serve as unique standard of safety status of one entity.

Article 9 CAAC Regional Administration Bureau shall establish the management provisions of civil aviation safety information in accordance with this provision and actual circumstances of local administration region, and shall report to CAAC civil aviation safety information supervision department for approval.

Article 10 Relevant entity and personnel with the occurrence of this event shall report those facts of event information according to corresponding provisions, and must not conceal any information, or make any lie in the report, or delay this report.

Chapter 2 Personnel and Equipment Management

Article 11 The Administrator and enterprise and institution entities shall designate those personnel who satisfy following conditions to bear the responsibility for civil aviation safety information management task, and the number of these personnel shall satisfy the demand of civil aviation safety information management tasks:

(1) Participate into civil aviation safety information management personnel training organized by CAAC, and become acceptable in the evaluation;

(2) Attend one recurrent training of safety management personnel organized by CAAC every two years, and become acceptable in the evaluation.

Article 12 The Administrator and enterprise and institution entities shall furnish those necessary operation equipment to those managerial personnel of civil aviation safety information and shall keep the normal running of these equipment. These equipment shall include but not limit to: lap-top computer, internet communication device, mobile storage media, fax machine, and digital voice recorder, etc.

Chapter 3 Civil Aviation Safety Information Collection

Article 13 Event information collection is divided into urgent event report and non-urgent event report, and the classification management is exercised. The sample of an urgent event report sample and non-urgent event report sample are included in the event samples, and these event samples have been otherwise developed by CAAC.

Article 14 Those urgent events arisen shall be reported as per following provisions:

(1) After the occurrence of an urgent event, relevant entity with event occurrence shall immediately report the event information to Civil Aviation Supervision Administration Bureau via phone call. After Civil Aviation Supervision Administration Bureau has received the information of reported event, they shall immediately report to CAAC Regional Administration that governs this entity. After CAAC Regional Administration has received the event information, they shall immediately report to CAAC civil aviation safety information supervision department.

(2) After the occurrence of an urgent event, relevant entity with event occurrence shall, within 12 hours (24 hours if event occurs outside of China) after the occurrence of this event, fill the facts into civil aviation safety information report form as per relevant standards, report to Civil Aviation Supervision Administration Bureau at the occurrence of this event and then copy to CAAC Regional Administration at the occurrence of this event, Civil Aviation Supervision Administration Bureau that governs this entity, and CAAC Regional Administration that governs this entity;

(3) ATC shall report to the Civil Aviation Supervision Administration Bureau at the occurrence of this event and then copy to CAAC Regional Administration at the occurrence of this event, Civil Aviation Supervision Administration Bureau that governs this entity, and CAAC Regional Administration that governs this entity.

Article 15 Those non-urgent events arisen shall be reported as per following provisions:

(1) After the occurrence of non-urgent event, relevant entity with event occurrence shall, within 48 hours after the occurrence of this event, fill the facts into civil aviation safety information report form as per the standards, report to Civil Aviation Supervision Administration Bureau (that governs this entity), and then copy to CAAC Regional Administration (that governs this entity).

(2) This provision is not applicable for foreign airlines.

Article 16 The reported event information shall be handled in accordance with

following procedure:

(1) For the event that has been reported, when relevant entity with event occurrence receives new information, they shall timely fill the supplementary information into civil aviation safety information report form and coordinate with the Administrator to investigate and verify the event information. If the facts are directly simple and the responsibilities are definitely clear, relevant entity with event occurrence can directly apply to end this event report;

(2) CAAC Regional Administration and Civil Aviation Supervision Administration Bureau shall timely review the event information, and complete the preliminary nature determination task of this event;

(3) For the event that is concluded as an accident in preliminary determination of event nature, the entity in charge of corresponding organization and investigation shall submit periodical investigation information, report final investigation information of this event within 12 months after the occurrence of this event, and apply to end this event report;

(4) For the event that is concluded as a serious incident in preliminary determination of event nature, CAAC Regional Administration in charge of corresponding organization and investigation shall submit final investigation information of this event within 30 days after the occurrence of this event, and apply to end this event report;

(5) For the event that is concluded as a general incident in preliminary determination of event nature, CAAC Regional Administration in charge of corresponding organization and investigation shall submit final investigation information of this event within 15 days after the occurrence of this event, and apply to end this event report;

(6) When this event is concluded as a general event, relevant entity with event occurrence shall report final investigation information of this event within 10 days after the occurrence of this event. CAAC Regional Administration in charge of corresponding organization and investigation shall complete the review on final investigation information within 15 days after the occurrence of this event, and apply to end this event report;

(7) If preliminary determination of event nature cannot be completed within defined time period or final investigation information cannot be forwarded within defined time limitation, the entity in charge of corresponding investigation shall apply to CAAC civil aviation safety information supervision department to apply for deadline extension for event report, and forward final investigation information of this event as per corresponding requirements as soon as possible, and apply to end this event report.

Article 17 Civil aviation safety information report form shall be forwarded to higher-level authority through China civil aviation safety information system. When this system becomes inoperative, they can forward this report by means of fax. Within 3 days after the system is recovered, they shall supplement this report with this system.

Article 18 Report the event information to emergency response authority of State Council of China, and take the actions in accordance with applicable provisions of State Council.

Article 19 If they shall report the event information to ICAO and relevant

foreign organization, they shall take their actions in accordance with following provisions:

(1) Within 30 days of the occurrence of an accident CAAC civil aviation safety information supervision department shall notify the registration country, local country of air operator, design country, manufacturer country, and ICAO, the initial report of the occurrence.

(2) After the end of accident event, CAAC civil aviation safety information supervision department shall send the final accident investigation report to ICAO as soon as possible;

Article 20 Each enterprise and institution entity and individual shall properly protect all the documents, video, audio, data and other data associated with accident, incident, general event, and the reported event.

Article 21 Organize those entities of accident, incident and general event investigation are responsible for the review, arrangement, and retention of investigation documents, data, and evidences, etc.

Article 22 Each function department of CAAC Regional Administration and Civil Aviation Supervision Administration Bureau shall report safety supervision information in accordance with applicable CAAC requirements.

Article 23 The enterprise and institution entity shall report general safety information in accordance with corresponding requirements of CAAC Regional Administration that governs this entity.

Chapter 4 Handle the Civil Aviation Safety Information in Voluntary Report

Article 24 CAAC supports the third party to develop China civil aviation safety voluntary report system, and entrusts the third party to bear the responsibility for the operation of this system.

Article 25 Basic principle of the operation of China civil aviation safety voluntary report system is voluntary, confidential, and free of punishment.

Article 26 Any individual can submit the report to China civil aviation safety voluntary report system by means of letter, fax, e-mail, filling and reporting in the internet, and telephone call.

Article 27 The report information collected from China civil aviation safety voluntary report system is shown as following:

(1) The report involved with negative operation environment for the aircraft, and the equipment and facility defect;

(2) The event report involved with operation standard and flight procedure difficulty;

(3) Other event report that affects aviation safety other than accident, incident and general event

Article 28 The report collected from China civil aviation safety voluntary report system shall be handled in accordance with following steps:

- (1) After the report is received, determine whether this report meets the report information collected from China civil aviation safety voluntary report system, and inform the reporting individual of relevant acceptance circumstance;
- (2) Verify the report information, and contact the reporting individual to supplement the information when appropriate;
- (3) Remove the identification information involved with the report, write the analysis report, and propose the safety recommendation;
- (4) Provide the information to relevant entity when appropriate, release the caution information, information briefing and information bulletin.

Chapter 5 Handle the Reported Civil Aviation Safety Information

Article 29 The lawful rights of reporter are protected by the law. Unless otherwise specified by the law or provision, no entity and individual can disclose the report information to other entity and individual.

Article 30 The reported civil aviation safety information shall be handled in accordance with following provision:

- (1) CAAC Regional Administration or Civil Aviation Supervision Administration Bureau is responsible for the investigation and disposal of civil aviation safety information reported and involved with local administration area.
- (2) Within 5 days after reported civil aviation safety information is received, they shall feed back the acceptance information to the reporting individual;
- (3) If the reported civil aviation safety information constitutes the accident, incident or general event after corresponding investigation, the entity in charge of the investigation shall, within 3 days after the end of the investigation, fill and report the civil aviation safety information report form to CAAC civil aviation safety information supervision department.

Article 31 Within 5 days after the end of the investigation on reported civil aviation safety information, the acceptance entity shall feed back the investigation and disposal results to the reported entity and the reporting individual.

Chapter 6 Civil Aviation Safety Information Analysis and Application

Article 32 Anyone from the organization involved with safety information shall respect the Civil Aviation Security Policy and avoid disclosure of safety information to the public without authorization.

Article 33 CAAC shall evaluate overall safety status of civil aviation industry by analyzing civil aviation safety information. CAAC Regional Administration and Civil Aviation Supervision Administration Bureau shall evaluate overall safety status of local administration region and specify those key points of periodical safety supervision and

administration by analyzing civil aviation safety information.

Article 34 Those enterprise and institution entities shall periodically analyze civil aviation safety information of local entity, evaluate the safety status and tendency of local entity, and develop the improvement measures.

Article 35 The release of civil aviation safety information shall be subject to the principle that the initiative of information report would not be affected, and applicable national and CAAC provisions shall be observed.

Article 36 CAAC is responsible for nationwide civil aviation safety information. CAAC Regional Administration and Civil Aviation Supervision Administration Bureau is responsible for the release of civil aviation safety information of local administration region.

Article 37 The Administrator and enterprise and institution entities shall follow the analysis status of civil aviation safety information to implement the safety alarm and pre-caution tasks, and publish aviation safety documents when appropriate.

Chapter 7 Lawful Responsibility

Article 38 When enterprise and institution entity takes one of following conducts, the Administrator would order this entity to correct within limited time period. If this entity does not take corrective actions in excess of this time period, this entity would be provided a warning followed by a punishment of a fine below 30 thousands Yuan RMB:

(1) Violate Article 5 of this provision, and fail to establish civil aviation safety information procedure and mechanism as per relevant requirement.

(2) Violate Article 11 of this provision, and those allocated civil aviation safety information administrators fail to meet relevant conditions or corresponding number does not satisfy the operational demands;

(3) Violate Article 12 of this provision, and those necessary equipment for civil aviation safety information management personnel are not furnished, or the furnished equipment cannot be normally serviceable;

(4) Violate Article 32 of this provision, and fail to establish civil aviation safety information analysis and release system.

Article 39 When enterprise and institution entity takes one of following conducts, CAAC would provide the warning or the punishment of 10 thousands Yuan RMB.

(1) Violate Article 10 of this provision, and fail to report event information as per the provision;

(2) Violate Article 14 of this provision, and fail to report an urgent event as per the provision;

(3) Violate Article 15 of this provision, and fail to report the non-urgent event as per the provision;

(4) Violate Article 16 of this provision, and fail to handle those reported events

as per the provision;

(5) Violate Article 17 of this provision, and fail to forward civil aviation safety information report form through the defined channel;

(6) Violate Article 20 of this provision, and fail to properly protect all the documents, video, audio, data and other data associated with accident, incident, general event, and the reported event;

(7) Violate Article 23 of this provision, and fail to comply with relevant requirements of general information and supervision information in civil aviation safety information management provisions established by CAAC Regional Administration;

(8) Violate Article 29 of this provision, and fail to protect the lawful rights and interests of reported individual as per the provision;

(9) Violate Article 32 of this provision, and disclosure of sensitive safety information without authorization.

(10) Violate Article 37 of this provision, and fail to implement the safety alarm or pre-caution task as per the provision.

Article 40 If the individual takes one of following conducts, a punishment below 1000 Yuan RMB would be sentenced to this individual by the Administrator:

(1) Violate Article 10 of this provision, and fail to report event information as per the provision;

(2) Violate Article 20 of this provision, and fail to properly protect all the documents, video, audio, data and other data associated with accident, incident, general event, and the reported event;

(3) Violate Article 29 of this provision

(4) Violate Article 32 of this provision, and disclosure of sensitive safety information without authorization.

Article 41 When foreign airlines violates Article 14 or 16 of this provision, the Administrator would provide the warning or the punishment of 10 thousands Yuan RMB. For serious violation, the punishment above 20 thousands Yuan RMB and below 30 thousands Yuan RMB would be sentenced to this foreign airlines.

Chapter 8 Attached Provisions

Article 42 Relevant definitions involved in this provision are shown as following:

(1) The accident mentioned in this provision is subject to the definition in "Civil Aircraft Accident and Flight Incident Investigation Provision";

(2) The incident mentioned in this provision is subject to the definition and standard in "Civil Aircraft Incident". Serious incident refers to serious incident of air transport defined in "Civil Aircraft Incident". General incident refers to general incident of air transport, general aviation incident, and aircraft ground incident;

(3) General event mentioned in this provision refers to aircraft damage, personnel injury or death or other condition (that affects the flight safety) arisen from aircraft operation phase or airport traffic zone, but its severity level does not constitute an incident event;

(4) The Administrator mentioned in this provision refers to CAAC, CAAC Regional Administration, and Civil Aviation Supervision Administration Bureau.

(5) Enterprise and institution entity mentioned in this provision refers to those entities of flight, maintenance, air traffic management, airport and fuel associated with aircraft operation and support;

(6) Relevant entity with event occurrence mentioned in this provision refers to aircraft operator (including subsidiary or branch company) and aviation operation support entity that is associated with arisen event and can provide direct information of this event;

(7) Local administration region mentioned in this provision refers to the location where civil aviation enterprise and institution entity is registered;

(8) As for the definitions of aircraft operation phase, airport traffic zone, and damage mentioned in this provision, refer to the standards in "Civil Aircraft Incident";

(9) "Day" mentioned in this provision refers to "calendar day".

Article 43 After International Civil Aviation Convention Annex 13 Amendment is issued, CAAC will evaluate this amendment. If CAAC decides to adopt this amendment, they shall timely revise this provision. If it is necessary to retain the difference, they shall timely report the differences to ICAO.

Article 44 As for civil aviation safety information management involved with Hongkong, Macao Special Administration Zone and Taiwan Region, refer to those articles related to foreign airlines in this provision.

Article 45 This provision was implemented from October 1, 2022.

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