Verżjoni Elettronika

L.N. 326 of 2021

AUTHORITY FOR TRANSPORT IN MALTA ACT (CAP. 499)

Civil Aviation (Investigation of Air Accidents and Incidents) (Amendment) Regulations, 2021

IN EXERCISE of the powers conferred by article 43 of the Authority for Transport in Malta Act, the Minister for Transport, Infrastructure and Capital Projects, after consultation with the Authority for Transport in Malta, has made the following regulations:-

Citation.

1. The title of these regulations is Civil Aviation (Investigation of Air Accidents and Incidents) (Amendment) Regulations, 2021 and they shall be read and construed as one with the Civil Aviation (Investigation of Air Accidents and Incidents) Regulations, hereinafter referred to as "the principal regulations".

S.L. 499.22.

Amends regulation 2 of the principal regulations.

2. Regulation 2 of the principal regulations, shall be amended by the following:

(a) the definition "Directive 2003/42/EC" thereof, shall be deleted; and

(b) immediately after the definition "Regulation (EU) No. 996/2010" thereof, there shall be added the following new definition:

" "Regulation (EU) No. 376/2014" means Regulation (EU) No. 376/2014 of the European Parliament and of the Council of 3 April 2014 on the reporting, analysis and follow-up of occurrences in civil aviation, amending Regulation (EU) No. 996/2010 of the European Parliament and of the Council and repealing Directive 2003/42/EC of the European Parliament and of the Council and Commission Regulations (EC) No. 1321/2007 and (EC) No. 1330/2007 as amended from time to time;".

Amends regulation 3 of the principal regulations.

3. In sub-regulation (3) of regulation 3 of the principal regulations, the words "Annex II of Regulation (EC) No 216/2008" shall be substituted by the words "Annex I of Regulation (EU) No. 2018/1139".

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Amends regulation 22 of the principal regulations.

4. In paragraph (k) of sub-regulation (2) of regulation 22 of the principal regulations, the words "Directive 2003/42/EC" shall be substituted by the words "Regulation (EU) No. 376/2014".

Amends regulation 29 of the principal regulations.

5. Regulation 29 of the principal regulations, shall be amended by the following:

(a) in sub-regulation (1) thereof, the words "in accordance with Article 7(1) of Directive 2003/42/EC" shall be substituted by the words "in accordance with Regulation (EU) No. 376/2014"; and

(b) sub-regulation (3) thereof, shall be substituted by the following new sub-regulation:

"(3) The Civil Aviation Directorate shall, in accordance with the provisions of Regulation (EU) No. 376/2014, promote a non-punitive environment facilitating the spontaneous reporting of occurrences and thereby advancing the principle of "just culture". Such occurrence spontaneous reports shall be uploaded in the ECCAIRS database.".

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