



TTCAA Advisory Circular

Subject: Voluntary Incident Reporting System
TTCAA Advisory Circular TAC-049
Date: 2013/06/14

PURPOSE

This Trinidad and Tobago Advisory Circular (TAC) describes the Trinidad and Tobago Civil Aviation Authority (TTCAA) Voluntary Incident Reporting System (VIRS) which utilizes the Office of the Head Quality and Investigations as the independent party of the TTCA to receive and process VIRS. This cooperative safety reporting program invites pilots, air traffic controllers, flight attendants (F/A), maintenance personnel, dispatchers, and other users of the National Airspace System (NAS), or any other person, to report to the Head Quality and Investigations actual or potential discrepancies and deficiencies involving the safety of aviation operations.

The operations covered by the program include departure, en route, approach, and landing operations and procedures; air traffic control (ATC) procedures and equipment; crew and ATC communications; aircraft cabin operations; aircraft movement on the airport; near midair collisions; aircraft maintenance and recordkeeping; and airport conditions or services.

The effectiveness of this program in improving safety depends on the free, unrestricted flow of information from the users of the Head Quality and Investigations. Based on information obtained from this program, the TTCAA will take corrective action as necessary to remedy defects or deficiencies in the NAS. The reports also provide data for improving the current system and planning for a future system.

BACKGROUND

TTCAA Mission: The primary mission of the TTCAA is to promote aviation safety. To further this mission, the TTCAA is now instituting a VIRS designed to encourage the identification and reporting of deficiencies and discrepancies in the system.

Head Quality and Investigations: The TTCAA has determined that the effectiveness of the VISIP would be greatly enhanced where the Head Quality and Investigations

accomplishes the receipt, processing, and analysis of raw data. The Head Quality and Investigations is required to ensure the anonymity of the reporter and of all parties involved in a reported occurrence or incident and, consequently, increase the flow of information necessary for the effective evaluation of the safety and efficiency of the system.

HEAD QUALITY AND INVESTIGATIONS RESPONSIBILITIES

General: The Head Quality and Investigations provides for the receipt, analysis, and de-identification of Aviation Safety Reports.

VIRS Committee: There shall be a VIRS Committee comprising the Head Quality and Investigations as the Chairman and appropriate representatives of aircraft operators, aircraft maintenance organizations, aviation training organizations, ANS service providers, aerodrome operators and the TTCAA. The committee shall meet at least twice a year to evaluate and ensure the effectiveness of the VIRS. In addition, VIRS Committee publishes and distributes periodic reports of findings obtained through the reporting program to the public, the aviation community and the TTCAA.

PROHIBITION AGAINST THE USE OF REPORTS FOR ENFORCEMENT PURPOSES

Background: The Head Quality and Investigations shall design and operate the VISIP security system to ensure the confidentiality and anonymity of the reporter, and other parties as appropriate, involved in a reported occurrence or incident.

The TTCAA will not seek, and the Head Quality and Investigations will not release or make available to the TTCAA, any report filed with that Office under the VIRS or any other information that might reveal the identity of any party involved in an occurrence or incident reported under the VISIP.

RELATED TTCAR SECTIONS

Regulatory Restrictions: Regulation 33 of the Civil Aviation [(No. 14) Aircraft Accident and Incident Investigation] Regulations, 2006 states as follows:

33. (1) The Director General shall establish a voluntary incident reporting system to facilitate the collection of information that may not be captured by a mandatory incident reporting system.

(2) The Director General shall, in establishing the voluntary incident reporting system referred to in subregulation (1), ensure that the system is non-punitive and affords protection to the sources of information.

(3) A person observing a hazard or discrepancy that may affect aviation safety, may notify the Director General of such hazard or discrepancy under the voluntary incident reporting system.

REPORTING PROCEDURES

Form TF-069 is provided with sections prepared specifically for intended users. Section A is for use by air traffic controllers, Section B is for general use including pilots, Section C is for use by flight attendants and Section D is for use by maintenance personnel.

Forms with a narrative report should be completed and mailed under confidential cover to Head Quality and Investigation, P.O. Box 2163, National Mail Centre, Golden Gove Road, Piarco or to Head Quality and Investigation, TTCAA Buildings Complex, Caroni North Bank Road, Piarco.

PROCESSING OF REPORTS

Processing Procedures: The Head Quality and Investigation procedures for processing Aviation Safety Reports initially screen the reports for:

- Information concerning criminal offenses, which will be referred promptly to the Department of Justice and the FAA;
- Information concerning accidents, which will be referred promptly to the NTSB and the FAA; and

NOTE: Reports discussing criminal activities or accidents are not de-identified prior to their referral to the agencies outlined above.

- Time-critical information that, after de-identification, will be promptly referred to the FAA and other interested parties.
- **Reporter Identification (ID) Strip.** Each Aviation Safety Report, in paper or electronic format, contains an ID strip that contains the information that identifies the person submitting the report. NASA will time stamp and return the ID strip to the reporter as a receipt by NASA. This will provide the reporter with proof that he or she filed a report on a specific incident or occurrence. The ID strip section of the ASRS report form provides NASA program personnel with the means to contact the reporter if there is a need for additional information to understand more completely the report's content. Except in the case of reports describing accidents or criminal activities, NASA does not create or retain a copy of an ASRS form's ID strip for ASRS files. Prompt return of ID strips is a primary element of the ASRS program's report de-identification process and ensures the reporter's anonymity.

8. De-Identification

All information that might assist in or establish the ID of persons filing ASRS reports and parties named in those reports will be deleted, except for reports covered under paragraphs 7a(1) and 7a(2). This de-identification will be accomplished within a timely manner after NASA's receipt of the reports.

[Back to Top](#)

9. Enforcement Policy

- **Administrator's Responsibilities.** The Administrator of the FAA will perform his or her responsibility under Title 49 of the United States Code (49 U.S.C.) subtitle VII, and enforce the statute and the 14 CFR in a manner that will reduce or eliminate the possibility of, or recurrence of, aircraft accidents. The FAA enforcement procedures are set forth in 14 CFR part 13 and FAA enforcement handbooks.
- **Enforcement Action.** When determining the type and extent of the enforcement action to take in a particular case, the FAA will consider the following factors:
 - Nature of the violation;
 - Whether the violation was inadvertent or deliberate;
 - The certificate holder's level of experience and responsibility;
 - Attitude of the violator;
 - The hazard to safety of others which should have been foreseen;
 - Action taken by employer or other government authority;
 - Length of time which has elapsed since violation;
 - The certificate holder's use of the certificate;
 - The need for special deterrent action in a particular regulatory area or segment of the aviation community; and
 - Presence of any factors involving national interest, such as the use of aircraft for criminal purposes.
- **Enforcement Restrictions.** The FAA considers the filing of a report with NASA concerning an incident or occurrence involving a violation of 49 U.S.C. subtitle VII or the 14 CFR to be indicative of a constructive attitude. Such an attitude will tend to prevent future violations. Accordingly, although a finding of violation may be made, neither a civil penalty nor certificate suspension will be imposed if:
 - The violation was inadvertent and not deliberate;
 - The violation did not involve a criminal offense, accident, or action under 49 U.S.C. § 44709, which discloses a lack of qualification or competency, which is wholly excluded from this policy;
 - The person has not been found in any prior FAA enforcement action to have committed a violation of 49 U.S.C. subtitle VII, or any regulation promulgated there for a period of 5 years prior to the date of occurrence; and
 - The person proves that, within 10 days after the violation, or date when the person became aware or should have been aware of the violation, he or she completed and delivered or mailed a written report of the incident or occurrence to NASA.

NOTE: Paragraph 9 does not apply to air traffic controllers, who are covered under the provisions of the Air Traffic Safety Action Program (ATSAP), as described in the ATSAP Memorandum of Understanding (MOU).

[Back to Top](#)

10. Other Reports

This program does not eliminate responsibility for reports, narratives, or forms presently required by existing directives.

[Back to Top](#)

11. Availability of Forms

Electronic reporting forms (NASA ARC Form 277-series, Aviation Safety Reporting System) are available for access and secure electronic filing from the NASA ASRS Web site at <http://asrs.arc.nasa.gov>. Alternatively, forms from this site may be accessed, printed, and completed by hand, or accessed and completed by computer and then printed. These may then be mailed to NASA Aviation Safety Reporting System, P.O. Box 189, Moffett Field, California 94035-0189.

4.

Ramesh Lutchmedial
Director General of Civil Aviation