**LIST OF STAKEHOLDERS WITH INPUT TO NPA**

1. Federal Airports Authority of Nigeria

2. Engr. Obadofin

3. Capt. Dele Ore

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|  | **SUBJECT/CIVIL AVIATION****(Investigation of Air Accident &Incidents)****Regulations  2019 reference** | **COMMENT** | **NSIB RESPONSE** |
| **1** |  | Recommended that the Regulation should be sent to the NCAA. “All the international airport have developed AIRPORT EMERGENCY PLAN AND PROCEDURES as well as DISABLED AIRCRAFT REMOVAL MANUAL in accordance with the relevant NIG.CARs” | NSIB draft regulation has been forwarded to NCAA |
| **2** | **6.2.2** The Bureau shall not circulate, publish or give access to a draft report or any part thereof, or any documents it received from the State conducting investigation of an accident or incident, without the express consent of the State which conducted the investigation unless such reports or documents have already been published or released by that latter State1. where it appears to him to be practicable to do so, served a notice under these Regulations upon that person, or if that person is a deceased individual, upon the person who appears to the Director-General/CEO , at the time he proposes to serve notice pursuant to this paragraph, to represent best the interest of the deceased in the matter; and
 | Section 6.2.2Line 2 ‘it received form’ should be amended to read ‘it received **from’**.Section 6.3.10 Paragraph(a),Line 4’To represent **best the** interest should be amended to read’to represent **the best** interest’ | All editing noted and done . |

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| **COMMENT ID** | 2021.0002 |
| **STAKEHOLDER** | ENGR. OBADOFIN |
| STAKEHOLDER SUBMISSION |

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|  | **SUBJECT/CIVIL AVIATION****(Investigation of Air Accident &Incidents)****Regulations****2019 reference** | **COMMENT** | **NSIB RESPONSE** |
| 1 | PART I— ESTABLISHMENT  1. The Minister, in exercise of the powers conferred by Sections 29  (10) of the Civil Aviation Act, 2006 and of all other powers enabling the Minister in  that behalf  hereby makes the following  Regulations  prescribing for: (1) the manner of exercising and  carrying out the Bureau’s powers, duties and  functions under the Civil Aviation  | 1.1 Enabling  Powers for the change to  Accident  Investigation Authority  Empowerment must be  derived from Civil Aviation Act. Civil  Aviation Act  2006 does not empower you to change to Accident  Investigation Authority. One wonders then from where  your source of this  | With the NSIB Act, 2022, the powers are derived therein. |

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|  | Act; (2) the  standards that  the aviation  system needs to achieve  compliance with the provisions of the Act | empowerment is derived! |  |
| 2  |  | Part 2  Numbering  There is  inconsistency in numbering.  The numbering of Part 2  should align  with the other parts Part 2  starts from 2.0 whilst the other parts start from e.g. 3.1, 4.1  etc | Noted and Treated |
| 3  | ; (c) the  gathering,  recording and  analysis of all  relevant  information on air  safety data, in  particular, for  accident or  incident  prevention  purposes, in so  far as those  functions do not  affect its  independence  and entail no  responsibility in  regulatory,  administrative or  standard matters  ; (d) if  appropriate, the  issuance of safety  recommendations  ; (e) if possible,  the determination  of the causes  and/or  contributory  factor(s) ; (f ) the  compilation,  completion and  publication of the  Final Report ; (g) Periodic  review of global  accidents, incidents, trends  and advice ; (h)  the conduct of  safety studies in  accident or  incident  scenarios, arising  from observed  trends and other safety related  issues. | 3.1 Functions of the Bureau Note: By your empowerment  (from wherever it is coming)  your  designation no longer makes you a Bureau but an  Authority. The conduct of  investigation  must  necessarily  cover and  involve  activities in (d), (e), (f), as well as other  activities which are not  enumerated, hence there is no need to  include (d) to (f) as part of the  specification  for the conduct of investigation | 3.1 Functions of the Bureau The functions of the Bureau shall include, but not limited to:  (a)determination  and  classification  of  occurrences;  (b)the conduct  of  investigation  into any  accident,  serious  incident or  incident  arising out of  or in the  course of air  navigation  and either  occurring in  or over  Nigeria or occurring  elsewhere as  applicable to  an aircraft  registered in  Nigeria or  operated by  Nigerian  Operator;  (c)the gathering,  recording and  analysis of all  relevant  information  on air safety  data, in  particular, for  accident or  incident  prevention  purposes, in  so far as  those  functions do  not affect its  independence  and entail no  responsibility  in regulatory,  administrative  or standard  matters;  (d) visitation of  the scene of the  accident or  incident;  (e)preservation of the evidence; (f) examination of the wreckage and statements taken from witnesses;  (g)if appropriate, the issuance of safety recommendations;  (h)if possible, the determination of the causes and/or contributory factor(s); (i) the compilation, completion and publication of the Final Report;  (j) periodic review of global accidents, incidents, trends and advice;  (k)the conduct of safety studies in accident or incident scenarios, arising from observed trends and other safety related issues.  |
| 4  | Same as 2 above  | Structural  (foundational) Deficiencies of the AIB First of all we need to address the  Civil Aviation Act from which the  Commissioner seems to have derived his  powers to  make the  Regulations.  Although the Act creates the autonomous  AIB, the  Bureau’s  powers and  authority are not stated  explicitly in the Civil Aviation Act. There are other  abnormalities in the Act  which conflict with NCAA’s  power to make regulations, but we are not  addressing them here. The Act must  include specific provisions  dealing with  AIB’s powers and authorities.  As it stands  presently, it  does not.  There must be specific  provisions  dealing with  AIB’s power  and authorities.  This may  probably have been  addressed in the anticipated new Civil  Aviation Act  which I have no access to. | Same as 2 above  |

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| **COMMENT ID** | 2021.0003 |
| **STAKEHOLDER** | CAPT.DELE ORE |
| STAKEHOLDER SUBMISSION |

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|  | **SUBJECT/CIVIL AVIATION****(Investigation of Air Accident****&Incidents)****Regulations****2019 reference** | **COMMENT** | **NSIB RESPONSE** |
| 1  | 41.— (1) The  Bureau while  conducting an  investigation shall recognize the need for coordination 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  read-outs of flight recorders  recordings. 2. Any investigation  conducted in  accordance with the provisions of these Regulations shall conform to Annex 13 and  particularly  regulation 7 above and shall be separate from any judicial or  administrative  proceeding to  apportion blame or liability. | Section 41 should be expanded to include when a  Judicial Inquiry  must be heard | **5.12.5** No Air  Safety Investigator of the Bureau shall be compelled to appear to give  evidence on issues that apportions  blame or liability or to disclose  technical  information that could affect the outcome of its  investigation.  |