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## **Incident / Accident Clearance Statement**

### **Guidelines**

#### **PREFATORY NOTES**

**This template has been prepared by AWG in connection with its efforts to facilitate and simplify transfers of aircraft between parties and jurisdictions. To that end, this template has been designed to streamline and standardise transaction practice and any transaction parties are welcome to use it, whether or not they are members of AWG. Transaction parties electing to make use of this template should consult the related User's Guide and Commentary (2015) prepared in connection herewith and accessible on the AWG website.**

**AWG is not expressing a view on when and whether the template is suitable in all cases. That is for the transaction parties to decide at their sole discretion.**

**While modification to this template would lessen its standardising effect, there is no restriction on amending it in any manner deemed appropriate for the purposes and needs of the parties.**

**Technical note: This template in its original form was approved by IATA. However, AWG is not expressing a view on whether this and any similar IATA document are now, or in the future will be, exactly the same as this template.**



## **Guidelines for understanding the Incident / Accident Clearance Statement (ICS)**

The purpose of this incident/accident clearance statement is to remove the focus from whether or not an aircraft/engine/part has been subjected to an accident or incident and instead declare that the aircraft/engine/part has been deemed acceptable for continued use.

The statement in paragraph 1 of the ICS provides confirmation that irrespective of the event the aircraft/engine/part has had been subjected to, its airworthiness has been re-established in accordance with the regulations and the instructions of the type certificate holder and/or supplemental type certificate holder (aircraft only) and/or OEM of the part and the maintenance deemed necessary has been performed by an approved maintenance organisation.

The reason for changing focus is that the ICAO definitions of accident and incident (reference Chapter 1 'Definitions' of Annex 13 – 'Aircraft Accident and Incident Investigation' to the Chicago Convention) do not take into account the relative nature of the event and its direct impact on the aircraft/engine/part. Specifically with regard to the definition of incident, it is highly subjective and subject to various interpretations by different regulatory authorities as to what affects or could affect the safety of operation.

The statement in paragraph 2 provides additional confirmation, now customary in the industry that no parts have been obtained from a military source.

Paragraph 2 also provides a statement regarding parts on state aircraft, considered appropriate because of industry requests for clarification regarding government use. Article 3 'Civil and state aircraft' of the Chicago Convention states that military, customs and police aircraft are deemed to be "state" aircraft. These aircraft are not placed on the civil register, therefore are not regulated by the associated national civil aviation authority in accordance with ICAO Standards and Recommended Practices (SARPs). For the purposes of this declaration, parts fitted to an aircraft that has transferred from a state to a civil register may require special evaluation prior to regaining their status of being civil aircraft parts, the rationale being that the provenance of these parts, while on a state register may not be verifiable. While aircraft on the civil register are regularly contracted by governments for state business, because the operation occurs under civil rules and the aircraft remains on the civil register during the period of operation, parts from such an aircraft are considered to be civil aircraft parts, therefore reference is made to state rather than government use.

This document is intended to act as an industry acceptable common standard having relevance for the requirements of the commercial aviation industry. Application and use of this document commenced in March 2015 and is not intended to apply retrospectively, therefore previously issued incident / accident statements should retain their acceptability for historical reference. This document will be subject to periodic review and update, with the first review expected to take place in early 2016.

Two document templates have been designed, one to cater for aircraft, the other for engines. The engine template could also be used for individual parts in circumstances where incident / accident clearance statements are required, alternatively the certification provided in paragraphs 1 & 2 could be included in the remarks section of the ATA106 Spec for commercial trace.