



Understanding the new TSB Regulations

and how they affect your work in the aviation industry

What's new in the new regulations? The *Transportation Safety Board Regulations* were changed for the first time since 1992, bringing them up-to-date with the current transportation industry and legislation. As of **12 March 2014**, Part 2 of the Regulations came into effect. Part 1 comes into effect on **1 July, 2014**. This fact sheet highlights some important changes that may affect your work in the aviation industry.

What has changed?

The TSB has put in place new regulations that repeal and replace the previous version. The new regulations are simpler and better aligned with other federal legislation, industry standards and international agreements. This has changed some of what you must report to the TSB in the event of a transportation occurrence and how we investigate. In particular, the new regulations:

- Make it easier to understand what needs to be reported and by whom;
- Clarify basic rules pertaining to witness interviews; and
- Bring certain definitions and terminologies up-to-date.

Who do the regulations apply to?

The new regulations apply to all aviation accidents or incidents that occur in or over Canada, or any place that is under Canadian air traffic control. They also apply to any occurrence involving an aircraft for which, or that is operated by a person to whom, a Canadian aviation document has been issued under Part I of the *Aeronautics Act*.

Compliance with the new regulations is mandatory. Companies that do not comply can be held accountable under the [Canadian Transportation Accident Investigation and Safety Board Act](#).

The new regulations are in a format that makes it easier for you to understand reporting requirements

Effective 12 March 2014 – TSB Regulations, Part 2

Witness interviews

TSB investigators interview witnesses for the sole purpose of advancing transportation safety. The interviews are confidential and protected under our Act. To help ensure witnesses feel comfortable and speak openly, the new regulations specify that:

- Interviews are held in private.
- Interviews must be recorded.
- Witnesses may choose one representative to accompany them during an interview as long as this person is not also a witness.
- TSB investigators may exclude a witness' representative from the interview if their actions or behaviour interfere with the interview.
- Witnesses may request in writing a copy of the interview records.

Effective 1 July, 2014 –TSB Regulations, Part 1

Definitions

Definitions have been brought up-to-date with terminology used in other federal acts and regulations, industry standards, and international agreements, such as the International Civil Aviation Organization's Annex 13. Here are some definitions that may affect what you must report to the TSB:

Term	Definition	Change
Dangerous goods	"Dangerous goods" now has the same meaning as in section 2 of the Transportation of Dangerous Goods Act .	Aligned with other legislation
Operation	Any activity during which an aircraft is used from the time any person boards with the intention of flight until they exit the aircraft.	New
Serious injury	Any bone fracture (except fingers, toes or the nose); lacerations that cause severe hemorrhage or nerve, muscle or tendon damage; internal organ injury; second or third degree burns or any burns affecting more than 5% of the body; exposure to infectious substances or harmful radiation; or an injury likely to require hospitalization.	Added various injuries in addition to those that likely require hospitalization

Reporting requirements

Who is required to report an aviation occurrence?

When an owner, operator, pilot-in-command, crew member or individual providing air traffic services has direct knowledge of an accident or incident, they are required to report it to the TSB. The new regulations require air traffic controllers to report all occurrences, not just a loss of separation or risk of collision.

What are you required to report?

In addition to the previous requirements, you must now report the following to the TSB:

- Incidents involving aircraft with a maximum certificated take-off weight greater than **2250 kg**, or aircraft operating under Part VII of the *Canadian Aviation Regulations*.
- Death or serious injury caused by propeller wash or direct contact with any part of an aircraft, including any parts that have become detached.

What are you required to report?

In addition to the current requirements, reports to the TSB must now also include:

- A description of any action taken to protect people, property and the environment.
- The phone number of the person making the report.
- Any supporting information about the occurrence required by the TSB.

What are you no longer required to report?

To simplify operational requirements, you are no longer required to report:

- Occurrences involving engine failure or damage when the damage is limited to the engine, its cowlings or accessories are now considered incidents.
- Damage limited to propellers, wing tips, antennae, tires, brakes, fairings or small dents or puncture holes in the aircraft's skin.

For more information

For more information about reporting an aviation occurrence, please visit our [Report an occurrence webpage](#). You can also consult the following documents:

- *Transportation Safety Board Regulations* (Canada Gazette, Part 2)
- [Canadian Transportation Accident Investigation and Safety Board Act](#)
- [Report an occurrence form](#)

If you have specific questions about the new regulations, please contact communications@bst-tsb.gc.ca.

This fact sheet has been prepared for convenience of reference and does not have an official character. It is of a general nature only. For all purposes of interpreting and applying the Regulations, please consult the official version of the *Transportation Safety Board Regulations*.

Ce document est également disponible en français : bst.gc.ca/reg