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EXECUTIVE SUMMARY OF THE EVALUATION

of Regulation (EU) No 376/2014 on the reporting, analysis and follow-up of occurrences in civil aviation

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EXECUTIVE SUMMARY

The overall objective of Regulation (EU) No 376/2014 is to contribute to the prevention of aircraft accidents and incidents, and related fatalities through the reporting, collection, storage, protection, exchange and analysis of relevant safety data and information relating to civil aviation.

The ex-post evaluation of this Regulation, carried out to support the preparation of the Commission's Report on the implementation of this Regulation pursuant to Article 24 of the Regulation, has assessed whether the objectives of the Regulation have been met. To do so, the Regulation has been evaluated on the basis of the following five criteria: the continued relevance of the Regulation, its effectiveness, efficiency, its coherence with the other relevant legislation, and the added value of the Union's intervention.

The Regulation was found to have been effective in achieving its objectives, namely in terms of improvements in the occurrence reporting across the stakeholder groups and across the EU. Not only has there been an improvement in the completeness and quality of the occurrence reports, but it has also been determined that a significant increase in the number of reports submitted and stored has occurred since the Regulation's entry into force. Furthermore, the Regulation is deemed to be providing an adequate level of protection of the reporters, of utmost importance under the principle that the aim of the occurrence reporting is the prevention of accidents and incidents and not to attribute blame or liability. Nonetheless, the evaluation did reveal that the implementation of Regulation has caused some unexpected consequences in terms of the increased workload for both organisations and competent authorities. In addition, some difficulties have been encountered as regards the implementation of the Regulation's provisions related to "just culture".

Whilst recognising the Regulation's overall contribution to aviation safety, no firm conclusions can be drawn as to whether the Regulation has succeeded in achieving its overall objective of contributing to the reduction of aircraft accidents and incidents, and related fatalities. The available data does, however, show a decrease in the amount of accidents and incidents in the context of the increased level of traffic during the period since the Regulation entered into force. Due to the improved collection and analysis of the safety data from the occurrence reports, and the elaboration and implementation of relevant corrective and preventive measures, it can be concluded that the Regulation has contributed to this decrease in the accident rate.

The Regulation continues to be relevant even in the light of the recent developments in the aviation sector, such as the rapid increase in unmanned aircraft operations, as well as the increasing threats related to cybersecurity. Whereas the evaluation has determined that the Regulation offers enough flexibility to address such developments in an efficient manner, it is equally acknowledged that consideration should be given to updating Commission Implementing Regulation (EU) 2015/1018 by updating the list of mandatorily reported occurrences and the mandatory data fields to better enable the gathering of safety data stemming from those new aviation domains.

The Regulation has been efficient in bringing considerably more benefits than costs. Calculations show that the benefits derived from the Regulation outweigh the implementation costs incurred by the various stakeholders.

The Regulation is by itself deemed to be coherent and contains no overlaps, contradictions or inconsistencies. With regard to other European legislation on aviation safety, the Regulation is overall deemed to be coherent, although it has been pointed out that there would appear to be an overlap between the Regulation's reporting requirements and similar requirements concerning the obligation to establish organisation's safety management systems (SMS) in aviation safety regulations. Further analysis on the possibilities of removing those overlaps, possibly through a consolidation process, could be considered.

Finally, based on the evidence analysed, it can be concluded that the Regulation brought a clear added value in the area of occurrence reporting, analysis and follow-up. It has contributed to a clear improvement in reporting rates, completeness of reports, amount of safety-relevant data available across the EU as well as to the protection of reporter and introduction of "just culture" principles.