

A

Bill

*to provide for better investigation of accidents and other incidents
arising out of navigation of aircrafts*

WHEREAS it is expedient to provide for better investigation of accidents and other incidents arising out of navigation of aircrafts and for matters connected therewith and ancillary thereto;

It is hereby enacted as follows.—

1. **Short title, extent, application and commencement.**— (1) This Act shall be called the Pakistan Air Safety Investigations Act, 2023.

(2) It shall extend to the whole of Pakistan and also apply to —

- (a) a citizen of Pakistan wherever he may be;
- (b) an aircraft registered in Pakistan wherever it may be;
- (c) an aircraft registered outside Pakistan but for the time being in or over Pakistan;
- (d) a person on an aircraft mentioned at clauses (b) and (c) and
- (e) an aircraft operated by a person who is not a citizen of Pakistan but has his principal place of business or residence in Pakistan.

(3) Nothing in this Act shall apply to an aircraft or persons on board an aircraft that is used for a military purpose unless the Federal Government, by an order, directs that all or any provisions of this Act shall apply to such aircraft and persons generally or in a particular case.

(4) It shall come into force at once.

2. **Definitions.**— In this Act, unless there is any thing repugnant in the subject or context,—

- (a) “accident” means an occurrence associated with the operation of an aircraft which in the case of a manned aircraft, takes place between the time any person boards the aircraft with the intention of flight until such time as all such persons

have disembarked; and in the case of an unmanned aircraft, takes place between the time the aircraft is ready to move with the purpose of flight until such time as it comes to rest at the end of the flight and the primary propulsion system is shut down, that leads to —

- (i) fatal or serious injury to a person as a result of his being in the aircraft, or direct contact with any part of the aircraft, including parts which have become detached from it, or direct exposure to jet blast, *except* when the injuries are from natural causes, self-inflicted or inflicted by other persons, or when the injuries are to stowaways hiding outside the areas normally available to the passengers and crew;
- (ii) damage to the aircraft or structural failure which adversely affects the structural strength, performance or flight characteristics of the aircraft, and would normally require major repair or replacement of the affected component, except for failure of engine or damage, when the damage is limited to a single engine, (including its cowlings or accessories), to propellers, wing tips, antennas, probes, vanes, tires, brakes, wheels, fairings, panels, landing gear doors, windcreens, the aircraft skin (such as small dents or puncture holes), or for minor damages to main rotor blades, tail rotor blades, landing gear, and those resulting from hail or bird strike (including holes in the radome); or
- (iii) the aircraft going missing or is completely inaccessible;
- (b) “accredited representative” means a person designated by a State, on the basis of his or her qualifications, for the purpose of participating in an investigation conducted by another State and where the State has established an accident investigation authority, the designated accredited representative would normally be from that authority;
- (c) “Act” means the Pakistan Air Safety Investigations Act, 2023;
- (d) “advisor” means a person appointed by a State, on the basis of his or her qualifications, for the purpose of assisting its accredited representative in an investigation;
- (e) “aircraft” means a machine that can derive support in the atmosphere from the reactions of the air other than the reactions of the air against the surface of the earth;
- (f) “Authority” means the Pakistan Civil Aviation Authority established under the Pakistan Civil Aviation Ordinance, 1982 (Ordinance XXX of 1982);