



# Comparing EU legislation for accident investigation



# Comparing EU legislation for accident investigation



- **Different definitions of “accident” and “incident” for all modes**
- **Different requirements on the responsibility for the investigation:**
  - Railway: investigations have **to be conducted** by a permanent body.
  - Aviation: investigations have to be **conducted or supervised** by a permanent safety investigation authority
  - Maritime: investigations have to be **conducted under responsibility** of a permanent investigative body



# Comparing EU legislation for accident investigation



## • Different provisions on mandatory investigations

Railway	Aviation	Maritime
<ul style="list-style-type: none"> <li>- <b>Obligation</b> after <u>serious accidents</u></li> <li>- <b>Discretion</b> to investigate accidents and incidents which under slightly different conditions might have led to serious accidents</li> </ul>	<ul style="list-style-type: none"> <li>- <b>Obligation</b> after <u>every accident or serious incident</u></li> <li>- <b>Discretion</b> to investigate any other accident and incident</li> </ul>	<ul style="list-style-type: none"> <li>- <b>Obligation</b> after <u>very serious marine casualties</u></li> <li>- <b>Obligation</b> after <u>serious casualties</u> to carry out a preliminary assessment in order to decide on a safety investigation.</li> <li>- <b>Discretion</b> after any other casualty or incident</li> </ul>



# Comparing EU legislation for accident investigation



- Different requirements for accident reports, annual reports, interaction with the Commission, co-operation within the network .....

- Conclusion

The different requirements and provisions make it very difficult for Member States always to organise accident investigation efficiency, in particular for multimodal investigation bodies (ca. 50 % of the Member States)

- Suggestion

Harmonisation task force EMSA, EASA, ERA (?)