

**Rules of Procedure for
the European Network of Civil Aviation Safety Investigation Authorities (ENCASIA)**

The civil aviation safety investigation authorities of the Member States of the European Union,

having regard to:

- 1) the Regulation (EU) No **996/2010** of the European Parliament and of the Council of 20 October 2010 on the investigation and prevention of accidents and incidents in civil aviation and repealing Directive 94/56/EC ('the Regulation'), which requires the Member States of the European Union to ensure that their national civil aviation safety investigation authorities ('safety investigation authorities') establish between them a European Network of Civil Aviation Safety Investigation Authorities ('the Network');
- 2) the need to further strengthen and develop cooperation between the European safety investigation authorities, by building upon the work performed so far by the Council of European Aviation Safety Investigation Authorities;
- 3) the need to be able to conduct investigations entirely independently and to possess the financial and human resources required for this;
- 4) the tasks and functions of the Network, as defined in the above-mentioned regulation;

having consulted the European Commission;

have adopted the following rules of procedure:

Article 1: Purpose

The purpose of the Network established by the safety investigation authorities of the Member States with the active support of the Commission, is to enable the Member States' safety investigation authorities to cooperate, to further improve the quality of safety investigations and to strengthen their independence. The Network shall, in particular, develop common approaches in the field of investigation methods and investigator training.

Article 2: Membership and Participation

1. Each safety investigation authority of a Member State of the European Union shall designate a Member to the Network, who shall be either the head of the national civil aviation safety investigation authority and/or in the case of a multimodal authority the head of its aviation branch, or their representatives. The Members of the Network may be accompanied by experts when appropriate. In accordance with the work programme and meeting agenda of the Network, the Members shall be authorised to discuss, agree and vote upon their mandate and their best judgement to achieve the tasks and responsibilities of the Network as foreseen in Article 7, paragraph 2 and 3, of the Regulation. Only Members have voting rights. Each Member of the Network shall have one vote.
2. The Network may invite safety investigation authorities of third countries to appoint representatives to participate, as observers, at the discretion of the Chairman, in the work of the Network. The Network may also, in the same way, invite experts to attend its meetings when appropriate.
3. The European Commission will be informed about the meetings of the Network and may attend them.

4. EASA may be invited, as appropriate, to appoint an observer to meetings of the Network.
5. The Members, European Commission and, at the discretion of the Chairman, observers may submit proposals to the Network that they wish to be considered.

Article 3: Chairman and Deputy Chairman

1. Candidates for the Network chairmanship shall send their candidacy to the secretariat. The names of the candidates shall be communicated to all Members and the European Commission one month prior to the election meeting.
2. At least two-thirds of the Network's Members must be present during the election meeting. The Members shall elect a Chairman amongst candidates, through a secret ballot with a simple majority of the Members.
3. The Chairman shall hold office for a period of 3 years. The Chairman shall conduct his or her functions until his or her successor has been elected.
4. The Deputy Chairman will be elected following the election of the Chairman in the same way.
5. The Chairman organises and chairs the meetings of the Network. The Chairman shall draw up the agenda for the Network's meetings.
6. The Chairman executes all other functions attributed to him/her by the Regulation or delegated to him/her by the Members of the Network.
7. The Deputy Chairman shall automatically take the place of the Chairman, if the Chairman is unable to attend to his/her duties. If both the Chairman and Deputy Chairman are absent or unable to attend a meeting, the meeting shall designate a Member to preside.
8. The Chairman will coordinate with the European Commission on the financial aspects in relation to the Network's costs, such as reimbursing expenses incurred directly.

Article 4: Meetings and Subgroups

1. Meetings of the Network shall be convened by the Chairman twice a year or more frequently as deemed appropriate.
2. The Network may establish subgroups to work on specific issues it would like to address within the scope its mandate, preferably by correspondence. The subgroups shall report back to the Network. Once the subgroup has fulfilled the task assigned to it, it will be disbanded.

Article 5: Deliberations

1. The Network may take decisions (except those regarding the Rules of Procedure, Work Programme and Annual Report) if at least a half plus one of the Members of the Network are present.
2. The Chairman and other Members shall endeavour to achieve consensus on all issues as far as possible. If consensus cannot be achieved, the matter may be decided by an open vote with a simple majority (a half plus one) of the Network Members.

3. The Network shall amend rules of procedure, if at least two thirds of the Members of the Network are present, with a simple-majority of the Network Members.

Article 6: Work programme and reporting

1. In close consultation with the Members of the Network and in consultation with the European Commission when appropriate, the Chairman shall draw up an annual work programme for the Network, as provided for in Article 7, paragraph 1, of the Regulation. The work programme may cover activities with a time-span of more than one year. This work programme will set priorities and targets related to the tasks and responsibilities of the Network.
2. The work programme shall be transmitted by the European Commission to the European Parliament and the Council.
3. The Network shall prepare, with the support of the European Commission, an annual report covering its activities. The report shall be transmitted to the European Parliament and the Council by the European Commission, and be made public.
4. The European Commission shall be closely associated to the work of the Network and may request that the Network provides it with information and assistance on matters related to accident investigation and prevention.
5. The work programme and the annual report shall be agreed by vote if at least two thirds of the Members of the Network are present, with a simple-majority of the Network Members.

Article 7: Attendance list

At each meeting, the Chairman will ensure that there is an attendance list specifying the participants' names, their government authority, organisation or the body that they belong to. The attendance list will be circulated to all attendees at the end of the meeting and before any ballot.

Article 8: Minutes of meetings

1. Minutes, reflecting the salient points of the meeting, shall be drafted under the responsibility of the Chairman, for circulation among Members, the European Commission and Observers.
2. Following a vote, dissenting Members have the right to have their position noted in the minutes.
3. The draft minutes of the meeting shall be circulated. The minutes will be formally approved at the following meeting.
4. The approved minutes shall be the only official record of the meeting.
5. Any supporting technical documentation agreed during the meeting may also be appended to the minutes and made available through correspondence.

Article 9: Confidentiality

1. In its work and deliberations the Network will respect the national and EU legislation concerning data protection, and confidentiality of information. When the Chairman, a Member of the Network, the European Commission or an observer informs the Network that a certain item on the agenda or a question raised or a document is of confidential nature, the Members of the Network and any other participant shall be under obligation not to disclose information which came to their knowledge

through the Network. The Chairman may restrict the attendance only to the Members of the Network when necessary.

2. The discussions of the participants of the Network are confidential.

Article 10: Final provisions

1. These rules of procedure are available to the public.
2. Pending the election of the Network's Chairman in accordance with the provisions of these rules of procedure, the meetings of the Network shall be provisionally chaired by the presiding Chairman of the Council of European Safety Investigation Authorities (CEASIA), and the CEASIA secretariat shall perform all the secretarial work for the purpose of Article 3.
3. These rules of procedure shall be applicable from the 19th of January 2011 when they were endorsed by all safety investigation authorities of all the Member States of the European Union present or represented during the Network's constitutive meeting held that day in Brussels.