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**CABY**  
**13-2016**

**CIVIL  
AVIATION  
BYE-LAW**

# **REPORTING OF AIRCRAFT ACCIDENTS/INCIDENTS IN BOTSWANA**

Document No.: CABY 13//2016  
15<sup>th</sup> August 2016



**PREAMBLE:** These Bye-Laws are made by the Civil Aviation Authority of Botswana with the approval of the Minister of Transport and Communications under Section 8 (2) of the Civil Aviation Act, 2011.

**CITATION:** These Bye Laws may be cited as the Civil Aviation Authority of Botswana (Reporting of Aircraft Accidents and Incidents in Botswana) Bye Laws.

## **1. PURPOSE**

The purpose of this Civil Aviation Bye-Law (CABY) is to clarify the requirements for ensuring and promoting timely reporting of aircraft accident and/or incident occurring in Botswana or involving a Botswana-registered aircraft anywhere.

## **2. APPLICABILITY**

This Bye-Law shall apply to all individuals, companies, organizations, etc. that are connected with aircraft operation in one way or the other. This is also applicable to individuals who are not involved with operation of aircraft but who may witness/discover an aircraft accident/incident anywhere.

## **3. EFFECTIVITY**

This Civil Aviation Bye-Law (13-2016) shall become effective immediately.

## **4. REFERENCES**

- Civil Aviation Act of 2011, Section 8 (3)

## **5. REQUIREMENTS**

### **5.1 RESPONSIBILITY FOR DIFFERENT ROLES**

Prior to the establishment of Directorate of Accident Investigation (DAI), Civil Aviation Authority of Botswana (CAAB) was, as a matter of an interim arrangement, responsible for both regulating the civil aviation industry and investigating aircraft accidents/incidents. However, after the Civil Aviation Act of 2011 was commenced on 7<sup>th</sup> October 2011, CAAB's role is now limited to the regulatory role and DAI is responsible for investigation of aircraft accidents/incidents in Botswana.

### **5.2 REQUIREMENTS FOR ACCIDENT/INCIDENT REPORTING**

5.2.1 In Botswana, it is mandatory for all aircraft accidents and/or incidents to be reported to responsible authorities with immediate effect. Previously such reports were made to CAAB as an interim measure.

5.2.2 Following the establishment of DAI, all aircraft accidents and/or incidents occurring in Botswana or involving Botswana-registered aircraft

elsewhere shall be reported instantly to DAI and CAAB may be informed of same.

5.2.3 Section 76 of Civil Aviation Act of 2011 states that anyone who gives false or misleading report shall be liable to a fine not exceeding P 5 million or imprisonment of ten years or both. Similarly the same Section shall apply to anyone who fails to immediately report an aircraft accident and/or incident knowingly in accordance with paragraph 5.2.2 above.

5.2.4 What constitutes a reportable accident or incident? All accidents/incidents shall be reported. However, **If in doubt – report it.** Considerations when deciding whether or not to report an incident shall be:

- (a) Did a dangerous situation occur?
- (b) Could a dangerous incident have occurred if circumstances had been different?
- (c) Could a dangerous incident occur in the future if the situation being reported is not corrected?

5.2.5 Experience has shown that sometimes people delay to report accidents/incidents simply because they have not received full details of what happened. The advice is always to pass on the news even if details are still lacking, then as and when more details come in you make updates accordingly.

5.2.6 Reporting of aircraft accidents and/or incidents shall be reported to the following contacts:

1. **Directorate of Accident Investigation** – Tel: +267 362-2000 or to

- Mr O.B Moakofi - Director, Accidents and Incidents Investigation  
Tel:+267 362 5639; Direct: +267 392 8249; Mob: +267 73-008-073 or  
E-mail: [omoakofi@gov.bw](mailto:omoakofi@gov.bw) / [obm066@gmail.com](mailto:obm066@gmail.com)
- Mr. P.V Mngqibisa, Chief, Accidents and Incident Investigation;  
Tel: +267 - 361-2011; Mob: +267 74-415-748/ 73-652-775 or  
E-mail: [pvmngqibisa@gov.bw](mailto:pvmngqibisa@gov.bw) / [/mngqibisavuyo@gmail.com](mailto:/mngqibisavuyo@gmail.com)

2. **Civil Aviation Authority of Botswana, Flight Safety** - Tel: +267 368-8200

- Captain J. Ndori; Tel: +267 368 8228 Mob: +267 77 586 569 or  
E-mail: [jndori@caab.co.bw](mailto:jndori@caab.co.bw);
- I.L.S Chalebgwa; Tel: +267 3688 352; Mob: +267 7385-0959 or  
E-mail: [ichalebgwa@caab.co.bw](mailto:ichalebgwa@caab.co.bw);



- Mr. K.B Pule; Tel: +267 3688-363; Mob: +267 7331-1554 or  
E-mail: [kpule@caab.co.bw](mailto:kpule@caab.co.bw)

## 6. GUIDANCE

The provisions of this Bye-Law shall be read together with the provisions of the Civil Aviation Act of 2011.

Approved on this 22<sup>nd</sup> Day of MAY 2018

**Onkokame K. Mokaila**  
**Minister**  
**Ministry of Transport and Communications**

Made on this 22<sup>nd</sup> Day of MAY 2018

**Puseletso G. Moshabesha**  
**Chief Executive Officer**  
**Civil Aviation Authority of Botswana**