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Royal Decree 632/2013, of 2 August, assistance to victims of civil aviation accidents and their relatives and amending Royal Decree 389/1998, of 13 March, regulating research accidents and incidents in civil aviation.

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Section: I. General provisions

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TEXT

Regulation (EU) n. ° 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 , introduced a package of measures to ensure assistance to the victims of civil aviation accidents and their relatives.

To this end, the EU Regulation n. ° 996/2010, of October 20, establishes the obligation to provide as soon as possible and in any event no later than two hours of notification of the accident, the list of people on board the accident aircraft; articulated mechanisms to allow passengers to designate a contact person in case of accident; imposes confidential treatment of the name of the persons on board the aircraft, establishing that may be made public only after informing relatives and when they do not conflict, and provides for the designation of a contact person who is responsible for informing victims and their families.

In addition to these specific measures in order to ensure at Community level a more comprehensive and harmonized civil aviation accidents, the EU Regulation n. ° 996/2010, of October 20, imposes on States the duty to establish plans nationwide that provide in particular, assistance to victims and their families. Member States also should ensure that airlines established in their territory have plans of assistance to victims and their families, and encourage companies from third countries to adopt such plans.

In relation to the need for an emergency plan at national level, it should be noted that under the provisions of Law 2/1985, of January 21, Civil Protection, to deal with general emergency , among which include those derived from aviation accidents, administrations already have civil protection plans, territorial or special adopted in their respective fields. This ensures uniform response nationwide, regardless of where the accident occurs and scope, to set common minimum contents and unavailable to subsequent approval and permit their integration into a unified programming in accordance with STC 133/1990, of July 19, and pursuant to the provisions of Royal Decree 407/1992, of 24 April, approving the Basic Civil Protection. As stated in this policy, civil protection plans, territorial and special, must conform to the Basic Civil Protection and must be approved by the Commission for Civil Protection, national or regional.

Nevertheless, to ensure that civil protection plans contemplate necessarily plane crashes as likely to generate emergency risk are included in the inventory of potential risks referred to in Article 9th) of Law 2/1985 , on January 21.

Furthermore, to ensure integration into a unified programming in accordance with the constitutional doctrine on the subject, completes the minimum content of civil protection plans or their development protocols in assisting victims of civil aviation accidents and their families. To establish the minimum common content in assisting victims and their families throughout the state have been taken into account international standards.

This royal decree also, the measures that the Central Government should guarantee and establishes the need for a Coordination Protocol for the assistance of victims of civil aviation accidents and their relatives.

Moreover, the Law 1/2011, of March 4, by establishing the State Safety Programme for Civil Aviation and amending Act 21/2003, of July 7, Aviation Safety, introduced the obligation of the Spanish air carriers licensed to have a plan of assistance to victims and their families in case of civil aviation plane crash, within six months from the entry into force of EU Regulation n. ° 996/2010 , on October 20. This care plan should be audited by the State Air Safety Agency, following a mandatory report of the Ministry of Interior.

For reasons of legal certainty, establish the minimum obligations of airlines in assisting victims and their families and, correspondingly, the minimum content of these plans as well as provide assistance measures in this area should have plans self-protection of airports.

Accordingly, this Royal Decree is to introduce into domestic law the provisions necessary to ensure compliance with the EU Regulation n. ° 996/2010, of October 20, with reference to assisting the victims of air accidents and their families the Manual on Assistance to Aircraft Accident Victims and their families, (Doc. 9973, AN 486) and ICAO Document 9998 - AN/499 on "ICAO policy on assistance to victims of air accidents and their family "Ampos published in 2013, and the provisions applicable in other states.

It can be concluded that a comprehensive scheme to ensure the protection of victims of air accidents and their families, this Royal Decree provides for measures in several areas: Complete the minimum content of civil protection plans of the State government in providing assistance to victims of civil aviation accidents and their relatives, establishes the actions that must be guaranteed by the General State Administration, regulates the obligations to be articulated through the plan of assistance to victims of civil aviation accidents and their relatives must airlines have obligations and self-protection plans should cover airports in providing assistance to victims of civil aviation accidents and their families, establishing the figure of the contact with the victims and their families, and provides for adoption of a protocol to coordinate the actions of all parties with responsibility in this area.

The measures envisaged in this Royal Decree will attend to the provisions of Law 51/2003, of December 2, equal opportunities, non-discrimination and universal accessibility for people with disabilities, and development regulations, as may be applicable .

The royal decree finally, amending Royal Decree 389/1998, of 13 March, regulating the investigation of accidents and incidents in civil aviation, to expand its membership in a vocal, vocal within the expected maximum in Law 21/2003, of July 7, Aviation Safety, in order to strengthen the multidisciplinary nature of this body of research and make explicit among the specialties of the members relative to technical maintenance of aircraft. Remain unchanged, however, the requirements applicable to the members of the Commission on professional competence and independence, without specifying, being only one of the cases in which leave to attend the independence requirement, that requirement is not met by representative who holds positions in institutions having among its purposes the defense of professional groups.

In the processing of this royal decree has sought the report of the National Civil Protection Commission and the Commission of Investigation of Accidents and Incidents of Civil Aviation, has been taken into account the views of the Autonomous Communities and local government through the Spanish Federation of Municipalities and Provinces (FEMP) of the association of victims of Flight JK5022, and other organizations representing the industry, such as airlines, and the Council of Consumers and Users.

By virtue of a joint proposal of the Minister of Public Works and Minister of Interior, with the prior approval of the Minister of Finance and Public Administration, according to the State Council and after deliberation by the Council of Ministers at its meeting on 2 August 2013,

ORDER:

CHAPTER I

General provisions

Article 1. Object.

1. This Royal Decree is to:

- a) Ensure that civil protection plans provide for civil aviation accidents and emergencies which may generate risk.
- b) Establish measures to be taken by government to ensure the presence of the victims of civil aviation accidents and their relatives.
- c) Develop the obligation of carriers to have a plan of assistance to victims of civil aviation accidents and their relatives under Article 37.3 of Law 21/2003, of July 7, Aviation Safety.

Two. This royal decree is issued pursuant to the provisions of Article 21 of Regulation (EU) n. ° 996/2010 of the European Parliament and of the Council of 20 October 2010 on the investigation and prevention of accidents and incidents in aviation civil and repealing Directive 94/56/EC.

Article 2. Definitions.

1. For the purposes of this Royal Decree is considered:

- a) Airline to any undertaking with a valid operating license authorizing it to provide transport of passengers, mail or cargo for remuneration or payment of rent.
- b) Victim means any person, occupant of the aircraft or not, you are inadvertently directly involved in a plane crash. They may be victims of an accident the crew, passengers or occupants of the aircraft and third
- c) Survivor, any victim who suffered fatal injuries as a result of the accident.

Two. The rest of the concepts used in this Royal Decree will apply the definitions of the EU Regulation n. ° 996/2010, of October 20, whose effects are considered relatives of the victims of civil aviation accidents, your spouse or partner, the ascending and descending, by consanguinity or affinity and collateral relatives within the second degree.

Article 3. Coordination and cooperation in the implementation of measures to assist victims of civil aviation and their families.

1. Civil protection plans or, where appropriate, protocols to be adopted in its development and implementation, ensure the necessary coordination on measures of assistance to victims and their families of the government's plans regulated airlines Chapter III and protection plans for airports.

Two. In the development of plans and protocols referred to in the preceding paragraph may participate associations representing victims of civil aviation accidents and, where appropriate, the airlines and airports sector representative. These associations also may enter into agreements and agreements to formalize their cooperation in assisting the victims of civil aviation accidents and their

relatives.

CHAPTER II

Civil Protection Plans

Article 4. Inclusion of civil aviation accidents in the inventory of potential risks of civil protection plans.

Civil aviation accidents are considered, in any case, likely to generate risk emergencies, for the sole purpose of ensuring that civil protection plans include them in the inventory of potential risks as provided in Article 9.a) of Law 2/1985, of 21 January on Civil Protection.

Article 5. Measures civil protection plans or their development protocols for assistance to victims and their families.

1. Civil protection plans, territorial or special, or their development plans, in the event of emergency civil aviation accident provision, in any case, the following measures:

a) psychological assistance to victims and their families.

b) The establishment of a private space in which family members can develop their private duel ensuring, where appropriate, differentiated spaces for the families of the crew and passengers. Additionally, and as far as possible, be established separate areas for relatives of fatalities and serious injuries and the other victims family.

c) The protection of the privacy and dignity of the victims and their families to access or communications for people not involved in the emergency care, among others, journalists and lawyers.

d) The provision of private spaces for collaboration with the Security Forces of the State and regional police in obtaining physical descriptions and identification of victims, as provided in the National Protocol for Medical-legal action and Forensic Science in events with multiple victims, approved by Royal Decree 32/2009, of January 16, when the protocol is applicable.

e) Coordination with the State Administration for assistance to victims and their families in their respective areas of competence.

f) Coordination and collaboration with the contact person responsible for informing victims and their families provided for in Article 7, which will provide the support necessary for the effective exercise of their functions.

Two. Without prejudice to the provisions of Article 6.1.b) and ensuring proper coordination with the Central Government, civil protection plans may provide for the communication of the presence of nationals of the State concerned who have been victims of the accident to the offices consular located in the territory of the Autonomous Community. Also, communication can be made to any other office or agency of representation of States with which the Autonomous Region has established a protocol for emergency communication and coordination.

Article 6. Other assistance measures for victims and their families.

1. With the activation of a civil protection plan as a result of a civil aviation accident in the State General Administration shall ensure, within the operational framework and enabled management plan as appropriate, the following measures:

a) The support of the Security Forces of the State, where appropriate, in coordination with regional police, in assisting victims and their families, including protecting your privacy to unsolicited communications with journalists, lawyers or other .

b) Notification to the foreign embassies in Spain for the existence of passengers on board the aircraft involved in the respective country of nationality, and coordination, as appropriate, in family assistance.

c) Processing in the shortest time possible, visas and permits for entry into Spain of the relatives of those on board, as well as, where appropriate, the necessary documentation to leave Spain.

d) The issue in the shortest possible time, identity documents or travel to the victims and families of Spanish nationality who need it.

e) coordination and administrative measures that permit the repatriation of the bodies as authorized by judicial authority.

f) family involvement in identification tasks of the wounded and killed in rooms with enough privacy, as envisaged in the National Protocol for Medical-legal action and Forensic Science in events with multiple victims, when the protocol is applicable.

g) The recovery, whenever reasonably possible, of any personal effects, regardless of their status or degree of deterioration and, where appropriate, the custody of the personal effects that are in possession of the Security Forces of the State and regional police or Accident Investigation Commission and Civil Aviation Incidents and delivery to the family when the investigation is completed or, where appropriate, authorized by judicial authority.

h) The provision of the rights recognized by Article 21.4 and 5 of EU Regulation n. ° 996/2010, of October 20, the expert or expert nominated by another Member State of the EU or third country which has a special interest in the accident count among their citizens killed or seriously injured.

i) The measures provided for in Article 5 as may be required under the provisions of the civil protection plan.

Two. Furthermore, provided that the Commission for Investigation of Accidents and Incidents of Civil Aviation provides that not prejudice the objectives of the research, is available to the victims, their families and associations of victims of the plane crash that, where appropriate, be constituted, before publication:

a) factual information about the accident, at least 48 hours to produce it.

b) The factual observations made during the investigation of the accident, the procedures used, advances in research, safety recommendations issued, the contents of the reports, statements, interim and final reports and conclusions of the safety investigation.

Article 7. Contact with victims and their families.

1. Pursuant to the provisions of Coordination Protocol under Article 8, it shall designate a contact person with the victims and their families who will be responsible for:

a) Informing victims and their families and, where appropriate, to the contact person designated by the passenger for the eventuality of an accident, on the various issues related to it, including the identification of persons on board, the scope of assistance to victims and their families and neighboring rights, to assist them under applicable aviation regulations.

b) Act as liaison between the operator of the stricken aircraft and relatives.

c) If applicable, establish the necessary coordination with officials appointed by other states to assist victims and their families of such nationality.

d) Make available to the victims and families the prospectus and the applicable aviation law dossier referred to in Article 9.

Two. It is make a designation of the contact person:

a) In the Autonomous Community in whose territory the accident occurred when there has been an airline involved.

b) The Central Government when the stricken aircraft belonging to an airline. Such designation may be held by the person provided, where appropriate, in the civil protection plan that is applicable.

Three. The contact person must have the appropriate training, based on the nature of the emergency, and with the profile and experience to establish the Coordination Protocol provided for in Article 8.

The Protocol consider the conditions for the appointment of the person to contact with the victims and their families, as well as the description of your profile and experience. The contact person will have experience and training in emergency and require participation in drills under Article 19 if it is commercial aviation accidents, or any other in the other cases.

Also, for the efficient exercise of its functions, the contact person may seek the support and cooperation that requires both civil protection authorities, as provided in Article 5, and the State Committee for Support for victim assistance of civil aviation accidents and their families referred to in Article 8.

April. In accidents occurring outside the national territory, the Central Government shall appoint a contact person to work with the authorities of the State in which the accident occurs on the information to victims and their families in any of the following circumstances:

1. ° When the accident aircraft is operated by an air carrier operating license Spanish.

Two. ° When traveling on a significant number of citizens of Spanish nationality.

Also, the Central Government may appoint an expert to which correspond the rights and powers provided in Article 21, paragraphs 4 and 5 of EU Regulation n. ° 996/2010, of October 20. This designation may be held by the person who is entrusted the functions provided in the first paragraph of this section.

May. In addition to the functions provided for in paragraphs 1 and 4, the contact person will develop the functions, after the emergency care, attributes this royal decree.

Article 8. Coordination of the various administrations, airlines and airport managers for victim assistance.

1. The Deputy Minister of the Interior, a favorable report from the National Civil Protection Commission, approve the Coordination Protocol for the assistance of victims of civil aviation accidents and their families in which they contemplate the organization and procedures to assure the State Administration exercise as effectively as possible, the functions assigned to it in this royal decree, and the mechanisms of regional cooperation with civil protection authorities, including information on accidents general aviation or sport, with airlines and airport managers. This Protocol incardinate within the operational framework and autonomous management of civil protection plan activated.

In developing the protocol, the Deputy Minister of the Interior may designate a working group will take into account the views of the autonomous communities and participate in all events, associations representing aviation accident victims and their families, and, where appropriate, other organizations representing the sector.

Two. It creates the State Committee for Support in assisting victims of civil aviation accidents and their relatives, with the nature of group work in accordance with the provisions of Article 40.3 of 6/1997, of April 14, of Organization and Functioning of the Central Government, with the following composition:

a) The Deputy Minister of the Interior, who shall act as chairman.

b) The Director General of Police, the Director General of the Civil Guard, the Director General of Civil Protection and Emergency, the Director of Aviation Safety Agency, the Director General of Civil Aviation, the Director General of Consular Affairs, and the Director General for Coordination of Peripheral State Administration, or people who have attributed his replacement as provided in Articles 23 and 24 of Law 30/1992, of 26 November, on the Legal Regime of Public Administrations and Common Administrative Procedure, acting as members.

c) The person designated by the Director General of Civil Protection and Emergency, among its staff, to act as secretary of the group.

Three. May be invited to meetings of the State Committee for Support in assisting victims of civil aviation accidents and their relatives, after consulting with the President, representatives of other organs of the Central Government or other public authorities, of according to the nature of the issues that were to know the Committee.

April. Corresponds to the State Committee support in assisting victims of civil aviation accidents and their relatives support the Secretary of the Interior to facilitate collaboration between the different agencies involved at the time of implementation of the protocol, all operating within and autonomous management of civil protection plan activated. In particular, the Committee will support the contact with the victims and their families for the exercise of their duties during crisis management.

For the implementation of the protocol can subscribe agreements with associations of victims of civil aviation accidents and their relatives.

May. Operation of State Support Committee will be treated with the personal, technical and budgetary resources allocated to the Directorate General of Civil Defense and Emergencies of the Ministry of Interior.

Article 9. Brochure guidance and assistance plans of the airlines with a Community or third countries.

1. To provide guidance to victims and their families, the Ministry of Development prepared with the participation of associations of victims of civil aviation accidents and their relatives, and airlines, an information leaflet on rights report attending victims and their families, the carrier liability in case of accident, cash advances, deadlines for exercising responsible actions and other obligations of the airlines with Spanish operating license in accordance with current regulations.

The Ministry of Public Works will prepare a dossier with applicable aviation legislation on assistance to victims and their families, as well as the rights they enjoy.

The prospectus and the dossier provided for in this section shall make available to the competent public authorities and the contact person provided in Article 7.

Two. The Ministry of Public Works:

a) collect, in collaboration with the competent authorities of the Member States of the European Union, accurate information on plans for assistance to victims and their families of the community licensed airlines operating in Spain.

b) It will encourage the adoption by non-EU airlines operating in Spain plans to assist victims of air accidents and their families, collecting accurate information about those plans and their modifications.

CHAPTER III

Assistance to victims and their families by airlines

Article 10. Obligations of airlines.

Airlines with Spanish operating license are required to have a plan of assistance to victims of civil aviation accidents and their families, including at least the assistance under this chapter.

Article 11. Information to the contact person of the people on board and measures to assist passengers and their families.

1. The airline will provide the contact person provided for in Article 7 to inform victims and their families information about the list of people aboard the aircraft involved and, where appropriate, the data of the person designated by the passengers in accordance with the provisions of Article 20 of EU Regulation n. ° 996/2010, of October 20.

Two. Also, the airline will provide that person all the information about the action taken as provided in the following articles.

Article 12. Addressing the queries.

1. The airlines must have telephone lines, served in Spanish and English, enough to provide basic information, gather information they receive about contact families and passengers to be consulted on accident victims. These lines, which will be free for domestic calls should be handled by qualified and remain open as long as necessary depending on the course of the rescue and identification of those affected.

Care of these phone lines will be adequate publicity attending the nationality and origin of the passengers involved in the accident.

Two. The airlines also are obliged to make every effort to locate the relatives of the crew and the victims of the accident on which there has been no consultation.

Three. The airlines in the development of these functions will meet the indications established by the contact person.

Article 13. Provision of facilities.

1. Airlines, where appropriate in cooperation with the airport operator, provide to the families of those aboard the stricken aircraft a suitable place to get help and information and have enough privacy, in the places of origin and destination of flight, as in the scene.

Two. In the places authorized as provided in the preceding paragraph will ensure the maintenance and provide access to communication services necessary to contact family members are not present.

Article 14. Transport and accommodation of family members and survivors.

1. The airlines will supply the transportation of the families of those on board to the crash site and return, as well as accommodation and meals during the time required depending on the course of the rescue and identification and, where appropriate, repatriation of victims of the accident.

The airlines shall, in its plan of assistance to victims of civil aviation accidents and their relatives, the criteria for determining the number of families eligible for this assistance measure, based, inter alia, the number of victims and survivors of the crash and relationship between two or more of them. These provisions ensure that it meets at least five families for each of the people on board the accident aircraft.

Two. The assistance referred to in the previous section shall also provide people on board crash survivors.

Three. The airline will ensure that accommodation is provided in places other than the relatives of the deceased and the survivors and their families. Also, try to stay at different places of the crew members and their families and passengers and their families.

Article 15. Psychological and financial assistance.

1. The airlines provide to the victims and their families objectively necessary psychological support to cope and help overcome the accident and bereavement after the emergency.

Two. The airline will provide information on immediate financial assistance provided to families and survivors, as well as economic rights of these in connection with the accident, including the details about insurance policies and advance payments as appropriate in accordance with the provisions of the 1999 Montreal Convention for the Unification of Certain Rules for International Carriage by Air and Regulation (EC) n. ° 2027/1997, of October 9, 1997, on air carrier liability in the event of accident.

Article 16. Personal effects.

The airline is responsible for the store, cleaning and personal effects back to their owners or their families, unless these are held for the purpose of the accident investigation or judicial security, in which case it will apply the provisions of Article 6.1, letter g).

Article 17. Other assistance to accident victims and their families.

The airline, where appropriate in cooperation with the airport operator also:

a) Facilitate the visit to the scene of the accident victims and their families, as well as associations of victims of air accidents, as allowed under the research work and judicial security technique developed in this place.

b) will have accident victims and their families, as well as associations formed by them to carry out any act of commemoration.

Article 18. Minimum content of the plan of assistance to victims of civil aviation accidents and their relatives.

1. The airline plans to support victims of civil aviation accidents and their relatives shall address at least the measures to comply with the obligations set out in this chapter.

Such plans shall contain in any case the appointment of an interlocutor of the company with the contact person under this Royal Decree and the representative designated by the airport, a detailed description of the human and material resources assigned to the application of each measure as well as actions for implementation and review, to ensure its effectiveness if they were to be implemented.

Also, care plans shall provide in any case, the liability regime in the implementation of measures for cases of codeshare flights and / or leasing of aircraft with or without crew.

Two. Personal media attached to the implementation of the various measures are built into the plan at the discretion of the airline:

a) Personnel own.

b) Own staff, along with staff brought together by one or more airlines, if so, after signing the contracts or collaboration protocols.

c) Staff provided by a third party, after signing the contracts. In this case, they must prove that the third party has hired qualified personnel resources to the attention of the extent to which application is hired.

Three. The scope of the measures included in the plan ensure their adequacy in response to the volume of passengers carried by the airline. These effects can be designed different kinds of responses depending on the number of passengers carried by different aircraft operated by the company.

April. The plan shall identify the person designated by the airline responsible for its implementation. The company attributed the responsibility for implementing the plan, if not available to her taking the position he holds in the company, enough to compromise the implementation of the measures contained in the plan.

Article 19. Staff training and drills plan update.

1. The airline will ensure the training of staff involved in implementing the plan, establishing in this specific training plans for their staff and, where appropriate, the measures taken to ensure that personnel not intended for implementation of the plan has with sufficient training.

Two. Also, the company will conduct periodic drills for checking the operation of the plan and coordination with other instruments. To this end, the airline schedule simulations agree with the competent civil protection authorities in the locality where the simulated, with the nearest airport manager said location and contact person with the victims and their families appointed by the Central Government in accordance with the provisions of this Royal Decree, which will go through the State Committee secretariat support or other point of contact has specified. They will participate in the drill with the means they deem necessary under the terms agreed with the airline.

The carrier shall, at least three months in advance of their schedule drills for Aviation Safety Agency in order that, if necessary, assist your staff for the purpose of inspection and control.

Three. In addition, the airline will take the necessary steps to update the plan to ensure the necessary assistance based on the nature and volume of air transport operations to perform, and in any event should be reviewed every five years. The plan update will contain measures to be implemented by the company.

Article 20. Audit plans assistance to victims of civil aviation accidents and their relatives.

1. The Aviation Safety Agency in the audit of the airlines plans to assist victims of civil aviation accidents and their relatives, under

Article 37.3 of Law 21/2003, of July 7, verify that these comply with the provisions of this Royal Decree and who is credited enough assurance measures under them.

Two. Airlines with Spanish license forwarded to the Aviation Safety Agency plans to assist victims of civil aviation accidents and their relatives and their updates or revisions within two months from the date of its adoption.

Three. The Aviation Safety Agency has a period of six months to audit the plan presented, following a mandatory report of the Ministry of Interior on all matters relating to the coordination and coherence of the plan, and coordinating media under him with civil protection plans, in particular the assistance measures provided for therein. This period may be suspended for the time between the submission of the report to the Ministry of Interior and its reception, for a period not exceeding three months. In accordance with the provisions of Article 42.5, letter c) of Law 30/1992, of 26 November, on the Legal Regime of Public Administrations and the Common Administrative Procedure, shall be communicated to the interested parties and report request date of receipt.

After this time without the Aviation Safety Agency has ruled specifically on the outcome of the audit will be understood that it is favorable.

April. When the audit throw an unfavorable outcome, the air carrier must submit to the Aviation Safety Agency, within the period specified by it, a new assistance plan to correct any deficiencies, inconsistencies or omissions discovered.

Resource shall apply the provisions of Article 4 of the Statute of the Aviation Safety Agency, approved by Royal Decree 184/2008, of February 8.

Article 21. Inspection and control.

Corresponds to the Aviation Safety Agency exercise of inspection and control the provisions of this chapter in accordance with the powers set out in Law 21/2003, of July 7, and Royal Decree 98/2009, of February 6, by approving the Aviation Inspection Regulations.

The breach of the obligation to have a proper plan of assistance to the victims and families of plane crash, as envisaged in this Royal Decree, as well as the obligation to execute in case of accident is a very serious administrative offense of accordance with Article 50.3.7. ^a of Law 21/2003, of July 7.

First additional provision. Assistance to victims and their families by airport managers.

1. The protection plans of airports under Royal Decree 393/2007, of 23 March, approving the Basic Self-Protection of schools, institutions and agencies engaged in activities that may lead to emergency situations, behold, the measures of assistance to victims of civil aviation accidents and their relatives, the following:

a) Working with airlines for the provision of the facilities referred to in Article 13 on the airport grounds and to the fulfillment of the measures provided for in Article 17 as well as for conducting drills referred Article 19.2.

b) The appointment of an interlocutor for partner coordination with the stricken aircraft company and the contact person provided in Article 7.

c) Any other measures to ensure coordination and cooperation in the implementation of measures to assist victims of civil aviation and their families referred to in Article 3.

Two. In the event that the accident had occurred on the airport grounds, the airport will facilitate access to the victims and their relatives to the crash site, unless reasons of security prevent it. In commemoration of the accident, and provided that the request for access is received early enough, the airport take the necessary measures to ensure such access.

Second additional provision. Approval Coordination Protocol for the assistance of victims of civil aviation accidents and their relatives.

Within six months from the entry into force of this Royal Decree shall be approved by the Deputy Minister of Interior Coordination Protocol for the assistance of victims of civil aviation accidents and their relatives.

Transitional provision only. Fitting plans of airlines and airports.

The airlines have a period of three months to adapt their plans for assistance to victims of civil aviation accidents and their relatives with the provisions of this Royal Decree.

While not from airports to review their emergency protection plans according to specific regulations, to adapt to the provisions of this Royal Decree on assistance to victims of civil aviation accidents and their families, develop procedures to compliance with the provisions of the first additional provision of this Royal Decree, referring them to the competent authorities in civil protection of the autonomous communities and the Aviation Safety Agency within three months.

Final provision one. Amendment of Royal Decree 389/1998, of 13 March, regulating the investigation of accidents and incidents in civil aviation.

The Royal Decree 389/1998, of 13 March, regulating the investigation of accidents and incidents in civil aviation, is amended as follows:

One Amending Article 8.2 which happens to have the following wording:

"The House shall consist of a chairman and seven members appointed, pursuant to the provisions of Law 21/2003, of July 7, Aviation Safety, among persons of recognized standing and professional competence in the civil aviation sector in the different fields of engineering, electronics, telecommunications and aerospace, among others, air operations, aviation infrastructure, technical maintenance of aircraft, air navigation teaching and research or any other related to the above, especially valuing independence, objectivity and soundness of judgment demonstrated in the performance of senior positions in public or private sector.

Development Minister shall appoint the president under the terms established by Law 21/2003, of July 7. "

Dos. It adds a single transitional provision reads:

'Transitional provision only. Transitional rules.

The member of the Commission for Investigation of Accidents and Incidents of Civil Aviation appointed after the entry into force of the provisions of Article 8.2, will be integrated into the body that was established in the time of the appointment, stopping in his term when it expires the mandate of the Commission. '

Second final provision. Title competence.

This provision is issued under the exclusive jurisdiction conferred on the State by Article 149.1.20. ^a of the Constitution in traffic and transport.

Articles 4, 5, 6 and 8 and the second additional provision are issued under Article 149.1.29. ^a of the Constitution, which grants the State exclusive jurisdiction in matters of public safety, without prejudice to the competence of the Communities Autonomous policing where this has been assumed bylaws, pursuant to art. 148.1.22. ^o of the Constitution.

Disposal third. Enabling legislation.

It enables the Ministers of Public Works and the Interior to issue, within the scope of their powers, all other provisions necessary for the implementation and development of this Royal Decree, in particular in regard to the powers of the Ministry of Development, accordance with the guidelines and recommendations of the International Civil Aviation Organization on assistance to victims and their families.

Disposal fourth. Entry into force.

This Royal Decree shall enter into force on the day following its publication in the "Official Gazette".

Given in Madrid on August 2, 2013.

JUAN CARLOS R.

The Deputy Prime Minister and Minister of the Presidency,
SORAYA SAENZ DE ANTON SANTAMARÍA

Analysis

- Rank: Royal Decree
- Date of file: 02/08/2013
- Date Posted: 03/08/2013
- Entry into force on August 4, 2013.

Previous references

- AMENDING art. 8.2 and ADD the single transitional provision of Royal Decree 389/1998, of March 13 (Ref [BOE-A-1998-6697](#)).
- PURSUANT to:
 - Regulation (EU) 996/2010, of October 20 (Ref [Journal L 2010-82059](#)).
 - Law 21/2003, of July 7 (Ref [BOE-A-2003-13616](#)).
- QUOTE Law 1/2011, of March 4 (Ref [BOE-A-2011-4116](#)).

Materials

- Accidents
- Accident Investigation Commissions
- Advisory Committees
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