



# NIGERIA CIVIL AVIATION AUTHORITY

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OFFICE OF THE DIRECTOR GENERAL CIVIL AVIATION

## ALL OPERATORS LETTER (DGCA 05/2023)

**Ref:** NCAA/DGCA/AOL/11/16/365  
**Date:** 24<sup>th</sup> July, 2023  
**To:** All Aircraft Operators  
**From:** Nigeria Civil Aviation Authority  
**Attn:** Accountable Executive/Director of Operations/Chief Pilot/Safety Manager

**Subject: RE: CONTINUOUS OVERWRITING OF COCKPIT VOICE RECORDER (CVR) INFORMATION**

It will be recalled that the Authority issued an FSG All Operators Letter (AOL) with ref: NCAA/FSG/AOL/19/003 and dated 30<sup>th</sup> July, 2019. The purpose of that AOL was to alert all aircraft operators on the continuous overwriting of Cockpit Voice Recorder (CVR) Information by their flight crew members and the necessity to ensure compliance with the appropriate Nigeria Civil Aviation Regulations (Nig. CARs) requirements.

### Background

The Nigeria Civil Aviation Authority (NCAA) had noticed that some airline operators' flight crew members were in the practice of continuously overwriting the CVR information after an occurrence. This practice makes it practically impossible for the Nigerian Safety Investigation Bureau (NSIB) to retrieve actual data to aid in its investigation as required by Paragraphs 25 and 26 of the Civil Aviation (Investigation of Air Accidents and Incidents) Regulations 2019. This action has also impeded and posed undesirable difficulty in ensuring that NSIB successfully discharge its statutory mandate of investigating accidents and serious incidents.

Unfortunately, this unwholesome practice has recently been detected in the industry. The Authority, by this AOL, wishes to reiterate that **Nig. CARs Part 7.8.1.3 (b), which is derived from the provisions of ICAO Annex 6, Section 11.6 states that, "To preserve flight recorder records, flight recorders shall be deactivated upon completion of flight time following an accident or incident. The flight recorders shall not be reactivated before their disposition as determined in accordance with the accident/incident regulations of Nigeria".**

**Furthermore, Nig. CARs Part 8.14.10.3 (a) requires that "The operator/owner of the aircraft, or in the case where it is leased, the lessee, shall ensure, to the extent possible, in the event the aircraft becomes involved in an accident or incident, the preservation of all related flight recorder records and, if necessary, the associated flight recorders, and their retention in safe custody pending their disposition as determined by the Accident Investigation Bureau (now NSIB).**

*The content of this letter is meant for the addressee only. If you receive this letter by error of circulation, please do not hesitate to return it to the NCAA.*



The operational requirement of the flight recorders by the flight crew as detailed in **Nig. CARs. Part 8.5.1.24 (b) and (c)** require that **“The PIC may not permit a flight data recorder or cockpit voice recorder to be disabled, switched off or erased during flight, unless necessary to preserve the data for an accident or incident investigation”** and **“In event of an accident or incident, the PIC shall act to preserve the recorded data for subsequent investigation upon completion of flight”** respectively.

**Actions Required:**

All operators of aircraft with CVR installed are hereby required to:

1. Return the accompanying transmittal indicating receipt of the AOL by each flight crew member.
2. Conduct in-house awareness training for their flight crews on the requirements of Nig. CARs Parts 7.8.1.3 (b), 8.14.10.3 (a) and 8.5.1.24 (b) and (c) immediately on receipt of this AOL;
3. Develop/Emphasize appropriate procedures addressing the requirements of Nig. CARs Parts 7.8.1.3 (b), 8.14.10.3 (a) and 8.5.1.24 (b) and (c) and incorporate same in their respective Operations Manual. This amendment must be submitted to the Authority for review, acceptance and approval within thirty (30) days from the date of issue of this AOL i.e., on or before 23<sup>rd</sup> August, 2023. These procedures must form part of the contents of the Indoctrination training for flight crew members; and
4. Ensure continuous compliance with the requirements of the Nig. CARs on the preservation of flight recorder records.

This AOL serves as a final caution against this practice. The Authority will henceforth apply its enforcement processes, where non-compliances to the requirements of the aforementioned Nig. CARs or non-conformance to the operator's approved procedures have been noticed.

You are to ensure immediate compliance.

*MS*

**Captain Musa S. Nuhu**  
Director General of Civil Aviation