

**Ref. No 376/04/ZZ**

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# **FINAL REPORT**

**Investigation into Incursion  
of CTA LKTB control area  
by M20P, D-EKHB  
on 29<sup>th</sup> of August 2004**

Prague  
May 2005

## **A) Introduction**

Aircraft type: M20P  
Place of Incident: CTA Brno - Tuřany (LKTB)  
Date: 29.8.2004  
Time: 09:16 – 09:36 (All times in this report are UTC)

## **B) Synopsis**

On August 29, 2004 UZPLN (Air Accident Investigation Institute, Czech Republic) got an incident report from ATC CR on incursion of CTA Brno-Tuřany control area by M20P, D-EKHB aircraft. The airplane crew was making a VFR scheduled flight from Jakabszallas Airport (LHJK) to Bautzen Airport (EDAB). Between ODNEM and HDO the plane flew for 11 minutes without communication in CTA LKTB and Brno-Medlanky (LKCM) Airport area, in which air traffic was rather heavy due to an Air Show just taking place there.

In accordance with the standards set in ICAO Annex 13, the Czech Republic was the State of Occurrence and AAI carried out the investigation.

The cause of the incident was investigated by an AAI commission comprising:

Investigator in charge: Ing Radomır Havıř  
Member: Jiřı Kadet.

The Final report was released by:

USTAV PRO ODBORNE TECHNICKE ZJIřTOVANı PŘıČIN LETECKYCH NEHOD  
Beranovych 130  
199 01 PRAHA 99

On the 25<sup>th</sup> of May 2005.

## **C) The Final report includes the following main parts:**

- 1) Factual information
- 2) Analysis
- 3) Conclusions
- 4) Safety recommendation
- 5) Annexes (to copy No.1 stored in UZPLN archive)

## **1 Factual information**

## **1.1 History of the incident**

On 28/8/2004 the plane M20P D-EKHB made a VFR flight according to FLP from Jakabszállás Airport (LHJK) to Bautzen Airport (EDAB).

During the flight before entering FIR LKAA, PIC D-EKHB maintained radio communication on the Slovakia area control centre (ACC LZIB) frequency 124.3 MHz. At the point of entering FIR LKAA "ODNEM" he did not follow the instruction to change the frequency to 119.1 MHz APP LKTB.

At 09:14:58 EC APP LKTB after consulting ACC LZIB tried to establish contact with PIC D-EKHB on frequency 119.1MHz, but without success.

At 09:15:48 PIC D-EKHB flew into the CTA LKTB and continued to fly according to the flight plan filed, all the time without communicating with APP LKTB.

At 09:23:38 EC APP LKTB requested PIC of OK-DYQ airplane flying in CTA LKTB to try to establish contact with PIC D-EKHB on the ACC LZIB frequency 124.3 MHz.

At 09:25:40 PIC OK-DYQ reported that he had got in contact with D-EKHB on frequency 124.3 MHz and instructed him to change the frequency to 119.1 MHz of APP LKTB.

At 09:26:48 PIC D-EKHB got in contact with EC APP LKTB on frequency 119.1 MHz, from whom he immediately received the instruction to change the heading in order to avoid the LKCM airport area, in which Air Show flight demonstrations were held.

At 09:30:18 PIC D-EKHB received an instruction to fly on according to the flight plan and then at 09:32:15 he got the instruction to change frequency to 126.1 MHz Praha Info.

## **1.2 Injuries to persons**

NIL

## **1.3 Aircraft damage**

There was no damage to the aircraft.

## **1.4 Other damage**

There was no other damage.

## **1.5 Personnel information**

Crews of D-EKHB.

NIL

### **1.5.1 Personnel information ATCO**

Job function		TEC
Age		30
Day on duty		1
Duty duration (hours)	from beginning of workshift (including breaks)	4
	From the latest duty rotation	-
Practice (years)		4
Qualification good till		8.6.2006
Latest qualification training		19.4.2005

## 1.6 Information about aircraft

Aircraft type: M20P  
Registration: D-EKHB

## 1.7 Meteorological information

According to the air meteorological service ČHMÚ, conditions at the LKRB Airport during the flight of D-EKHB on 29 August 2004 were as follows:

Ground wind: 170°/ 4-6 kt  
Visibility: more than 10 km,  
Temperature: 19°C,  
QNH: 1020 hPa,

## 1.8 Radio navigation and visual aids

Radio-navigation had no effect on the incident.

## 1.9 Communications and Procedures

### 1.9.1 Communication

Communication between PIC D-EKHB and air traffic services was maintained on frequencies 124.3 MHz ACC LZIB, 119.1 MHz APP LKTB, and 126.1 MHz Praha Info.

Aeronautical information publication AIP ČR in ENR 1.2 – 4 Article 1.2.2.6 says: “Pilots in command flying VFR from abroad, who before entering the Czech Republic will not establish contact with FIC, are requested to get in contact with TWR of the nearest airport.

Annex 2 Hd 4 Art. 4.9 provides that VFR flights heading for areas or flying in routes of air traffic services must continuously follow air-to-ground voice communication on frequencies of air traffic services that provide aeronautical information service, and must report their positions accordingly.

### 1.9.1 Procedures for air traffic services

TEC employed Regulation Annex / L 10/ II., Civil air telecommunication service – Communication procedures. In Articles 5.2.2.4 and 5.2.2.4.2 it places airborne and ground stations under an obligation to maintain communication using suitable means that are available.

#### **1.10 Aerodrome information**

The control area CTA and TMA Brno is a control area Class D in which air traffic services are provided to both IFR and VFR flights, permanent two-way communication is necessary, and flights must be cleared.

Aeronautical information publication AIP ČR sets out in AD 2 LKTB Article 2.22.4.1 procedures for VFR flights, and the obligation of VFR flights entering CTR from airspace Class G to establish contact with APP/TWR at least 3 minutes before getting into TMA.

#### **1.11 Flight recorders**

Flight recorders were not used. The incident was analyzed using the radar information record and communication at APP LKTB station.

#### **1.12 Description of incident site**

CTA LKTB

#### **1.13 Medical and pathological information**

NIL

#### **1.14 Fire**

NIL

#### **1.15 Survival aspects**

NIL

#### **1.16 Tests and research**

NIL

#### **1.17 Organizational and management information**

NIL

#### **1.18 Additional information**

NIL

#### **1.19 Useful or effective investigation techniques**

The incident has been investigated in accordance with Annex 13.

## **2 Analysis**

The analysis concerned PIC D-EKHB activity and the procedures by air traffic services.

### **2.1 PIC D-EKHB**

During the D-EKHB, flight conditions for comparative navigation were good. Using information on en-route areas in the VFR navigation chart, through visual observation, and keeping to instructions from air traffic services, the pilot could have recognized the limits of air information areas and by the FLP he could have identified the relevant reporting point. In this way he could have fulfilled his duty in compliance with Regulation Annex / L 2 Flight Rules Hd 3 Art. 3.6.3.1 to report to the air traffic service station the time and the flight level over the mandatory reporting point along with all other information required. The PIC failed to follow the instruction to change the frequency.

### **2.3 Air Traffic Services Procedures**

EC APP LKTB executed the lost-communication procedures in accordance with PANS-ATM Part 15.2.

In accordance with Annex / L10 II, Hd.5 Art.5.2.2.4.3. EC APP LKTB established contact with D-EKHB through another plane flying in TMA LKTB on frequency 124.3 MHz ACC LZIB and then on 119.1 MHz APP LKTB.

EC APP issued instruction to avoid LKCM Airport where Air Show traffic was running.

## **3 Conclusions**

### **3.1 The commission has made the following conclusions:**

- PIC D-EKHB made his pre-flight preparation carelessly;
- PIC did not fulfilled the command to change the frequency from ACC LZIB to EC APP LKTB in the ODNEM reporting point area and went on flying by the filed flight plan to CTA LKTB area;
- PIC D-EKHB got into the CTA Brno airspace without getting clearance first;
- PIC D-EKHB did not establish permanent two-way radio communication in the airspace class D. ;
- EC APP LKTB responded to the no-communication flight in accordance with valid procedures;
- When contact was re-established, EC APP LKTB issued the instruction to avoid the LKCM Airport area.

### **3.2 The causes**

- PIC failed to get in contact with the air traffic service station before entering FIR LKAA.

According to L13 Regulation the event is classified as **INCIDENT**. From the point of view of seriousness the event is rated as “**Significant incident**”

#### **4 Safety recommendantions**

I leave it up to LBA Germany to take measures.

Prague, 25<sup>th</sup> of May 2005