

**Order № 1-1/497**

**of the Minister of Economy and Sustainable Development of Georgia**

**December 30, 2024**

**Tbilisi**

**On Approval of “Rule for Official Investigation of Railway Accidents / Incidents”**

According to the Article 51(5) of the Law of Georgia “On Management and Regulation of the Transport Sector”, I do hereby order:

**Article 1**

Rule for Official Investigation of Railway Accidents and Incidents shall be approved as appended.

**Article 2**

This Order shall take effect on January 1, 2025.

**Acting Minister of Economy and  
Sustainable Development of Georgia**

**Nino Enukidze**

# **Rule for Official Investigation of Railway Accidents and Incidents**

## **Chapter I. General Provisions**

### **Article 1. General**

1. These Rules for Official Investigation of Railway Accidents / Incidents (hereinafter – the Rule) are made in accordance with the applicable legislation of Georgia and the international standards.
2. The international standard is established by the Directive (EU) 2016/798 of the European Parliament and of the Council of 11 May 2016 on Railway Safety and Commission Implementing Regulation (EU) 2020/572 of 24 April 2020.
3. This Rule defines the procedure for official investigation of railway accidents, serious accidents and incidents by the Transport Safety Investigation Bureau of the Ministry of Economy and Sustainable Development of Georgia.

### **Article 2. Purpose of the Rule**

The purpose of the Rule hereof is to improve railway safety and prevent railway accidents/incidents through investigation of the railway accidents and incidents.

### **Article 3. Scope**

1. These Rules shall apply to investigation of railway accidents or incidents that occurred on the territory of Georgia.
2. These Rules shall not apply to:
  - (a) metros;
  - (b) trams and light rail vehicles, as well as infrastructure used exclusively by those vehicles; or
  - (c) light rail infrastructure occasionally used by heavy rail vehicles under the operational conditions of the light rail system, where it is necessary for the purposes of connectivity of those vehicles only;
  - (d) vehicles primarily used on light rail infrastructure, however equipped with some heavy rail components necessary to enable transit to be effected on a limited section of heavy rail infrastructure for connectivity purposes only.

Any accident or incident occurring on the railway vehicles listed in the paragraph 1 of this Article shall be investigated in accordance with the applicable legislation of Georgia.

### **Article 4. Definitions**

The terms used in this Rule shall have the following meanings:

- a) accident - an unwanted, unintended and sudden event or a specific chain of such events

which have harmful consequences;

- b) serious accident - any train collision or derailment of trains resulting in the death of at least one person or serious injuries to five or more persons, train collision or derailment of trains resulting in extensive damage to rolling stock, the infrastructure or the environment, and any other accident which has an obvious impact on railway safety regulation or the management of safety;
- c) incident - any occurrence, other than a railway accident or serious railway accident, affecting the safety of the railway operations;
- d) extensive damage - damage that can be immediately assessed by the Investigation Bureau to cost at least GEL 2 million in total;
- e) serious injury (seriously injured person) - any person injured who was hospitalized for more than 24 hours as a result of an accident, excluding any attempted suicide.
- f) death (deceased) - any person dying within 30 days as a result of an accident, excluding any suicide;
- g) suicide - an act to deliberately injure oneself resulting in death, as recorded and classified by the competent national authority;
- h) attempted suicide - an act to deliberately injure oneself resulting in serious injury.
- i) level crossing - any level intersection between a road or passage and a railway, as recognized by the infrastructure manager and open to public or private users. Passages between platforms within stations are excluded, as well as passages over tracks for the sole use of employees.
- j) train - railway vehicles hauled by one or more locomotives, consisting of the railcars and/or any other railway vehicles equipped with appropriate signals, as well as a self-propelled railway vehicle sent on a run;
- k) vehicle - a railway vehicle suitable for circulation on wheels on railway lines, with or without traction; a vehicle is composed of one or more structural and functional subsystems;
- l) investigation - a process conducted for the purpose of accident and incident prevention which includes the gathering and analysis of information, the drawing of conclusions, including the determination of causes and, when appropriate, the making of safety recommendations;
- m) investigator-in-charge - a person responsible for the organization, conduct and control of an investigation.

**Note:** The categories of railway accidents are outlined in the Appendix 1.

## **Article 5. Status of Investigation**

1. Investigation of railway accidents and incidents is a form of independent investigation.
2. Investigation should in no case concern the apportionment of blame or responsibility.
3. Investigation shall be carried out independently of any judicial inquiry.

## **Chapter II. Railway Accidents and Incidents Investigation Bureau**

### **Article 6. Railway Accidents / Incidents Investigation Bureau**

1. The Transportation Safety Investigation Bureau - a structural subdivision of the central apparatus of the Ministry of Economy and Sustainable Development of Georgia (hereinafter – the Investigation Bureau) is the investigator of the railway accidents and incidents.
2. The Investigation Bureau is a permanent body that is functionally independent in implementation of its activities and is guided by the applicable legislation of Georgia and the international standards.

### **Article 7. Rights and Obligations of the Investigation Bureau**

1. The Investigation Bureau has unlimited authority to conduct investigations.
2. The Investigation Bureau shall be granted:
  - a) immediate access to the site of the accident or incident as well as to the rolling stock involved, the related infrastructure and traffic control and signaling installations;
  - b) unrestricted access to the contents of on-board recorders and equipment for the recording of verbal messages and registration of the operation of the signaling and traffic control system; as well as their unrestricted use;
  - c) access to the results of examination of the bodies of victims;
  - d) access to the results of examinations of the train staff and other railway staff involved in the accident or incident;
  - e) the opportunity to question the railway staff involved in the railway accident or incident and other witnesses;
  - f) access to any relevant information or records held by the infrastructure manager, railway undertakings, entities in charge of maintenance and national safety authority concerned;
  - g) call on the experts for assistance in investigation;
  - h) conduct investigations into accidents and incidents that, under slightly different circumstances, could have resulted in serious accidents.
3. The Investigation Bureau shall be obliged to:
  - a) conduct investigation;
  - b) conduct independent, objective and thorough investigations into railway accidents / incidents;
  - c) conduct the investigation as openly as possible, so as to give all parties the opportunity to express their opinions and share the results;

- d) take measures to ensure that appropriate facilities, including technical expertise, are available for investigation;
- e) ensure that the relevant infrastructure manager and the representatives of the railway undertaking, the Railway Transport Agency (hereinafter - the Agency), the victims and their relatives, the owners of damaged property, manufacturers, the Emergency Management Services of the Ministry of Internal Affairs (hereinafter - the Emergency Management Service), railway personnel and railway service recipients provide the relevant technical information in order to improve the quality of the investigation report;
- f) take into account the reasonable needs of victims and their relatives and ensure that they are informed about the progress made in the investigation process.

The investigators of the Investigation Bureau must have a certificate confirming their authority to conduct an investigation.

#### **Article 8. Qualification Requirements for Railway Accident/Incident Investigators**

According to the requirements set by the Investigation Bureau, an investigator of railway accidents and incidents must be a person with appropriate education, skills and experience.

### **Chapter III. Railway Accident / Incident Investigation Procedures**

#### **Article 9. Obligation to Report Railway Accidents / Incidents**

1. The Agency, railway undertakings, infrastructure managers are obliged to immediately, however not later than within 1 hour, notify the Investigation Bureau of railway accidents and incidents by phone and to submit the information at their disposal in full.
2. A written notification shall be sent to the Investigation Bureau no later than 3 working days after the accident/incident in accordance with Annex 3 to this Rule.
3. In case of sending a written notification, the Investigation Bureau shall confirm its receipt.
4. Where appropriate, the notification shall be updated as soon as any information that has not been submitted before becomes available.

#### **Article 10. Railway Accident / Incident Investigation**

1. The Investigation Bureau shall investigate the serious railway accidents.
2. The Investigation Bureau, except for the cases specified in the paragraph 1 of this Article, may investigate the railway accidents and incidents that could have caused a serious railway accident.
3. The decision referred to in the paragraph 2 of this Article shall be taken by the Investigation

Bureau. When making a decision, the Investigation Bureau shall take into account:

- a) significance and severity of the railway accident or incident;
  - b) the extent to which the railway accidents/incidents occurred were of a systemic nature;
  - c) overall impact on railway safety;
  - d) the referral to the Agency, infrastructure manager or railway undertaking.
4. An incident occurred in the railway transport sector, in which there is no high probability of a railway accident or a serious railway accident, shall be investigated by the railway undertaking and/or the infrastructure manager.
  5. When investigating a railway accident or a serious railway accident that falls within the competence of different agencies, the Government of Georgia may establish an interagency commission.
  6. In case of a railway accident or a serious railway accident, the relevant notification shall be sent to the State of registration, the State of operator, the State of design or the State of manufacturer of the railway transport. They shall have the right to appoint the authorized representatives to participate in the relevant investigation.
  7. When investigating a serious railway accident, railway accident or incident, the Investigation Bureau shall investigate the precursors and assess the degree of their impact on the serious railway accident, railway accident or incident that occurred.
  8. Investigation of railway accidents/incidents shall be carried out by an investigator with the qualifications specified in the Article 8 of this Rule.

**Note:** The categories of precursors are set out in the Appendix 1.

#### **Article 11. Railway Accident and Incident Investigation Procedures**

1. The Investigation Bureau shall proceed an investigation into a serious railway accident immediately upon receipt of a notification from the infrastructure manager / railway undertaking / Agency.
2. The Investigation Bureau shall, immediately after receipt of the notification of a railway accident/incident, however no later than 2 months after the date of such notification, decide whether to commence an investigation, based on an assessment of the chain of events.
3. The Investigation Bureau shall complete the investigation at the accident site as soon as possible, so that the infrastructure manager can restore and reopen the infrastructure for railway transport services in the shortest possible time.
4. Duration of the investigation referred to in the paragraphs 1 and 2 of this Article shall be determined by the Head of the Investigation Bureau, depending on its scope.
5. In the case of each railway accident or incident, the Investigation Bureau shall take measures

to ensure the appropriate facilities, including the necessary operational and technical expertise for the conduct of the investigation. Expertise may be obtained from an internal or external body, depending on the nature of the accident or incident to be investigated.

6. If investigation concerns the vehicles authorized by the Agency or railway undertakings certified by the Agency, the Agency shall cooperate with the Investigation Bureau. It shall submit to the Investigation Bureau in full the requested information or records as soon as possible and, if requested, shall provide explanations.

#### **Article 12. Dismissal of the Investigator**

1. The investigator shall be dismissed from the investigation process / not allowed to participate in the investigation process if:
  - a) he/she or his/her family member, relative was injured/died during the incident/accident under investigation;
  - b) he/she or his/her family member, relative may be responsible for occurrence of the incident/accident or for the damage occurred;
  - c) investigation or its result may be beneficial/harmful to the interests of him/her or his/her family member, relative;
  - d) his/her or his/her family member/relative's actions may be investigated.
2. In case of any of the grounds provided for in the part 1 of this Article, the investigator shall be obliged to apply to the Investigation Bureau with a corresponding application.
3. Dismissal of the investigator shall be made by the decision of the Head of the Investigation Bureau.

#### **Article 13. Information to be sent to the Rail Transport Agency**

1. Within 7 days of the decision to open an investigation, the Investigation Bureau shall inform the Agency thereof. The information shall indicate the date, time and place of the occurrence, as well as its type and its consequences as regards fatalities, injuries and material damage.
2. The Investigation Bureau shall send the Agency a copy of the final report referred to in Article 17.

#### **Article 14. Relationship of the Investigation Bureau with the State Authorities and the Court**

1. In the event that a criminal investigation has also been initiated by the law enforcement agencies, the Investigation Bureau shall be notified thereof. The Investigation Bureau shall cooperate with the relevant authorities and, upon written request, provide them with the materials related to the railway accident/incident within a reasonable time so as not to impede the effective administration of justice.

2. The Investigation Bureau shall be obliged to appear for questioning at the trial, if necessary.

#### **Article 15. Obligation to Preserve Evidence by Railway Personnel**

1. Any person employed in the railway sector and present at work at the time of a railway accident / incident shall be obliged to protect and preserve evidence and not change the accident site until arrival of the investigators of the Investigation Bureau.
2. The persons found guilty of intentional damage or destruction of evidence shall be held liable in accordance with the applicable legislation of Georgia.

#### **Article 16. Responsibility of the Investigation Bureau for Protection of Confidential Security Information**

1. The Investigation Bureau shall be obliged to protect information obtained as a result of a railway accident or incident in order to ensure safety.
2. The information specified in the paragraph 1 of this Article may be disclosed only for the purpose of investigation of the railway accident or incident.
3. Access to the information specified in the paragraph 1 of this Article by a third party is permitted in the cases specified by the law, based on an appropriate decision of the relevant law enforcement body.

### **Chapter IV. Railway Accident / Incident Investigation Report**

#### **Article 17. Railway Accident / Incident Investigation Report**

1. A report shall be prepared about serious railway accidents, railway accidents and incidents to provide a written record of the progress of investigation.
2. The Investigation Bureau shall prepare and make public the railway accident / incident investigation report.
3. The railway accident / incident investigation report shall include the following elements:
  - a) an aim of investigation;
  - b) a description of the accident / incident and its background;
  - c) a record of the investigations and inquiries, including on the rules applied to the safety management system prescribed by the “Railway Safety Rule”, the functioning of rolling stock and technical installations, the organization of man power, the documentation on the operating system and previous occurrences of a similar character;
  - d) analysis and conclusions with regard to the causes of the occurrence, including contributory factors, related to:

- d.a) actions taken by persons involved;
- d.b) the condition of rolling stock and technical installations;
- d.c) skills of the staff, procedures and maintenance;
- d.d) the regulatory framework conditions;
- d.e) the application of the safety management system.

e) recommendations related to safety issues.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 28(3).

4. The investigation report must preserve the anonymity of any person involved in a serious railway incident, railway accident or incident.

**Note:** See the Appendix 2 for the detailed structure of the railway accident/incident investigation report.

#### **Article 18. Term for Publication of the Investigation Report**

1. The Investigation Bureau shall make public the report in the shortest possible time and normally not later than 12 months after the date of the occurrence.
2. If the final report cannot be made public within 12 months, the Investigation Bureau shall release an interim report no later than 12 months after the date of occurrence of the railway accident/incident, detailing the progress of the investigation process and any safety issues raised.

#### **Article 19. Familiarization with the Investigation Report**

The Investigation Bureau shall maintain an annual report reflecting the investigations carried out, the safety-related recommendations and the measures taken in accordance with previously issued recommendations.

#### **Article 20. Reopening of Railway Accident / Incident Investigation**

Investigation of a railway accident/incident may be reopened if new evidence is submitted by a party concerned that could substantially change the outcome of the accident/incident investigation.

#### **Article 21. Recording of Railway Accidents/Incidents and Storage of Investigation Materials**

The materials related to a railway accident or incident and the investigation report are stored in the Investigation Bureau, in the departmental register of railway accidents/incidents maintained by it, for the period of 10 years.

## Appendix 1

### Categories of Railway Accidents and Precursors

1. Railway accident category:

Category		Description of category
1	Train collision	Collision of train with rail vehicle
		Collision of train with obstacle within the clearance gauge
		A front to front, front to end or a side collision between a part of a train and a part of another train or rail vehicle, or with shunting rolling stock.
		A collision between a part of a train and objects fixed or temporarily present on or near the track (except at level crossings if lost by a crossing vehicle or user), including collision with overhead contact lines.
2	Train derailment	Any case in which at least one wheel of a train leaves the rails.
3	Level crossing accident, including accident involving pedestrians at level crossing	Any accident at level crossings involving at least one railway vehicle and one or more crossing vehicles, other crossing users such as pedestrians or other objects temporarily present on or near the track if lost by a crossing vehicle or user.
4	Accident to persons involving rolling stock in motion, with the exception of suicides and attempted suicides	An accident to one or more persons who are either hit by a railway vehicle or by an object attached to, or that has become detached from the vehicle, this includes the persons who fall from railway vehicles as well as the persons who fall or are hit by loose objects when travelling on board vehicles.
5	Fire in rolling stock	A fire or explosion that occurs in a railway vehicle (including its load) when it is running between the departure station and the destination, including when stopped at the departure station, the destination or intermediate stops, as well as during re-marshalling operations.
6	Other	Any accident other than a collision of train with rail vehicle, collision of train with obstacle within the clearance gauge, derailment of train, level crossing accident, an accident to person involving rolling stock in motion or a fire in rolling stock.

## 2. Category of precursors:

Category	Description of category
1 Broken rail	Any rail which is separated in two or more pieces, or any rail from which a piece of metal becomes detached, causing a gap of more than 50 mm in length and more than 10 mm in depth on the running surface.
2 Track buckle or other track misalignment	Any fault related to the continuum and the geometry of track, requiring track to be placed out of service or immediate restriction of permitted speed.
3 Wrong side (less restrictive) signaling	Any technical failure of a signaling system of infrastructure or rolling stock, resulting in signaling information less restrictive than that demanded. This occasion also includes the restriction of a danger point with inappropriate restrictive signals or incorrect placement of restrictive signals, resulting in a less restrictive signal than required, as well as absence of restrictive signals in a danger point.
4 Signal passed at danger when passing a danger point	Any occasion when any part of a train proceeds beyond its authorized movement and travels beyond the danger point.
5 Signal passed at danger without passing a danger point	Any occasion when any part of a train proceeds beyond its authorized movement but does not travel beyond the danger point.
6 Broken wheel on rolling stock in service	A break affecting the wheel and creating a risk of accident (derailment or collision).
7 Broken axle on rolling stock in service	A break affecting the axle and creating a risk of accident (derailment or collision).

## Structure for Railway Accident / Incident Investigation Reports

For the purpose of this Appendix, the following definitions shall apply:

- a) Causal factor - any action, omission, event or a combination thereof that if corrected or avoided would have prevented the occurrence, in all likelihood;
- b) Contributing factor - any action, omission or event that affects an occurrence by increasing its likelihood, accelerating the effect in time or increasing the severity of the consequences, but the elimination of which would not have prevented the occurrence;
- c) Systemic factor - any causal or contributing factor of an organizational, managerial, societal or regulatory nature that is likely to affect similar and related occurrences in the future, including, in particular the regulatory framework conditions, the design and application of the safety management system, skills of the staff, procedures and maintenance.

The structure of a report about a serious railway accident, railway accident and incident should be as close as possible to the structure below and should be adapted to the type and degree of severity of the accident/incident.

### 1. Summary

- 1.1. The summary is an integral part of to the report. It shall be self-explanatory so that it can be read without further context.
- 1.2. The summary shall provide an outline of the basic facts of the occurrence: a short description of the accident or incident, when, where and how it happened and a conclusion on its causes and consequences. The summary shall refer to all factors (causal, contributing and/or systemic) identified by the investigation. Where applicable, the summary shall list the safety recommendations and their addressees.

### 2. Investigation and its context

This part of the report shall give the objectives and the context of the investigation. It shall make reference to any factors such as delays that might have detrimental impact or otherwise influence the investigation or its conclusions.

1.	The decision to establish an investigation;	
2.	The motivation to the decision to initiate an investigation, e.g. by reference to the Article 11.1 (serious railway accident) or the Article 11.2;	
3.	The scope and limits of the investigation including a justification thereof, as well as an explanation of any	

	delay that are considered a risk or other impact to the conduct of the investigation or its conclusions:	
4.	An aggregated description of the technical capabilities and the functions in the team of the investigators. This includes those belonging to other investigation bodies or external parties involved, as well as evidence for their independence from parties involved in the occurrence;	If anonymity is granted to persons or entities, please clarify.
5.	Communication and consultation process established with persons or entities involved in the occurrence during the investigation and in relation to the information provided;	If anonymity is granted to persons or entities, please clarify.
6.	A description of the level of cooperation offered by the entities involved;	If anonymity is granted to persons or entities, please clarify.
7.	A description of the investigation methods and techniques as well as analysis methods applied to establish the facts and findings referred to in the report. The facts shall at least establish: <ul style="list-style-type: none"> <li>➤ events and conditions that led to the occurrence;</li> <li>➤ any precursors that led to the above;</li> <li>➤ instructions, mandatory procedures, feedback mechanisms and/or control mechanisms that led to the occurrence or otherwise played a role regarding it.</li> </ul>	e.g. interviews, access to documentation and recordings on the operating system.
8.	A description of the difficulties and specific challenges encountered during the investigation;	
9.	Any interaction with the judicial authorities, where appropriate;	
10.	Where appropriate, any other information relevant in the context of the investigation.	

### 3. Description of the occurrence

This part of the report shall contain a detailed description of the occurrence mechanism, based on the information collected during the investigation carried out.

#### a. The occurrence and background information:

1.	Description of the occurrence type;	
2.	Date, exact time and location of the occurrence;	
3.	Description of the occurrence site, including weather and geographical conditions at the moment of the occurrence and if any works were carried out at or in the vicinity of the site;	
4.	Deaths, injuries and material damage: <ul style="list-style-type: none"> <li>➤ passengers, employees or contractors, level crossing users, trespassers, other persons at a platform, other persons not at a platform,</li> <li>➤ cargo, luggage and other property,</li> <li>➤ rolling stock, infrastructure and the environment.</li> </ul>	If anonymity is granted to persons or entities please clarify.
5.	Description of other consequences, including the impact of the occurrence in the regular operations of the actors involved;	
6.	Identification of the persons, their functions, and entities involved, including possible interfaces to contractors and/or other relevant parties;	If anonymity is granted to persons or entities, please clarify.
7.	Description and identifiers of train(s) and their composition including the rolling stock involved and their registration numbers;	
8.	Description of the relevant parts of the infrastructure and signaling system – track type, switch, interlocking, signal, train protection systems;	
9.	Where appropriate, any other information relevant for the purpose of the description of the occurrence and background information.	

(b) The factual description of the events:

1.	The proximate chain of events leading up to the occurrence, including: <ul style="list-style-type: none"> <li>➤ actions taken by persons involved,</li> <li>➤ the functioning of rolling stock and technical</li> </ul>	e.g. starting point of a train ride, beginning of the shift of an involved staff member.  e.g. measures taken by staff for traffic control and signaling,
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	installations, ➤ the functioning of the operating system;	exchange of verbal messages and written orders in connection with the occurrence.  e.g. signaling and control command system, infrastructure, communications equipment, rolling stock, maintenance, etc.
2.	The chain of events from the occurrence until the end of the actions of the rescue services, including: ➤ measures taken to protect and safeguard the site of the occurrence, ➤ the efforts of the rescue and emergency services.	e.g. trigger of the railway emergency plan, trigger of the emergency plan of the public rescue services, the police and the medical services and its chain of events.

**4. Analysis of the occurrence, where necessary, in respect of individual contributing factors**

This part of the report shall analyze the established facts and findings (i.e. performance of operators, rolling stock and/or technical installations) which caused the occurrence. The analysis shall lead to identification of the safety critical factors that caused or otherwise contributed to the occurrence, including facts identified as precursors. A railway accident / incident may be caused by causal, systemic and contributing factors which are equally important and should be considered during an investigation.

The analysis may be extended to the conditions, feedback mechanisms and/or control mechanisms throughout the entire railway system that were identified as actively influencing the development of similar occurrences. This could include the functioning of safety management systems of involved parties and regulatory activities covering certification and supervision.

The following items shall be covered for each of the identified events or factors (causal or contributing) that appear safety critical, in line with the flexibility offered by the structure (see above).

**a. Roles and duties**

This part of the report shall identify and analyze the roles and duties of individual persons and entities, including if necessary relevant staff and their defined tasks and functions, identified as having been involved in the occurrence in a safety critical manner, or any activity leading to it.

1.	Railway undertaking(s) and/or infrastructure manager(s);	If anonymity is granted to persons or entities, please clarify.
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2.	The entity/entities in charge of maintenance, the maintenance workshops, and/or any other maintenance suppliers;	If anonymity is granted to persons or entities, please clarify.
3.	Manufacturers of rolling stock or other suppliers of rail products;	If anonymity is granted to persons or entities, please clarify.
4.	Rail Transport Agency;	If anonymity is granted to persons or entities, please clarify.
5.	Notified bodies, designated bodies and/or risk assessment bodies;	If anonymity is granted to persons or entities, please clarify.
6.	Certification bodies of entities in charge of maintenance mentioned under the paragraph 2;	If anonymity is granted to persons or entities, please clarify.
7.	Any other person or entity relevant to the occurrence, documented or not in one of the relevant safety management systems or referred to in a register or relevant legal framework.	If anonymity is granted to persons or entities, please clarify.  e.g. keepers of vehicles, terminal providers, loaders or fillers.

**b. Rolling stock and technical installations**

Causal factors to or the consequences of an occurrence that were identified as relating to the condition of rolling stock or technical installations, including possible contributing factors related to activities and decisions, such as:

1.	Stemming from the design of the rolling stock, railway infrastructure or technical installations;	
2.	Stemming from the installation and taking into service of the of rolling stock, railway infrastructure or technical installation;	
3.	Laying with the manufacturers or other supplier of rail products;	
4.	Stemming from the maintenance and/or the modification of the rolling stock or technical installations;	
5.	Laying with the entity in charge of maintenance,	

	the maintenance workshops and other maintenance suppliers;	
6.	And any other factors or consequences considered relevant for the purpose of the investigation.	

**c. Human (and organizational) factors**

Where causal or contributing factors or the consequences of an occurrence were related to human actions, attention shall be paid to the particular circumstances and the manner in which routine activities are performed by staff during normal operations and the human and organizational factors that may influence actions and/or decisions, including:

1.	(a) Human and individual characteristics: training and development, including skills and experience, (b) medical and personal circumstances with influence on the occurrence, including existence of physical or psychological stress, (c) fatigue, (d) motivation and attitude.	
2.	Job factors: (a) type of function, (b) design of equipment with impact on the “man-machine” interface, (c) the means of communication, (d) practices and processes, (e) operating rules, local instructions, staff requirements, maintenance prescriptions and applicable standards, (f) working time of the staff involved, (g) risk handling practices, (h) context, machinery, equipment and instructions shaping work practices.	
3.	Organizational factors and assignments: (a) workforce planning and workload, (b) communications, information and team working, (c) recruitment and selection, resources, (d) performance management and supervision, (e) compensation (remuneration), (f) leadership, power issues, (g) organizational culture, (h) legal issues (including relevant European and national rules and regulations), (i) the regulatory framework conditions and application of the safety management system.	

4.	Environmental factors: (a) working conditions (noise, lighting, vibrations, ...), (b) weather and geographical conditions, (c) works carried out at or in the vicinity of the site.	
5.	And any other factor relevant for the purposes of the investigation referred to in the above paragraphs (1), (2), (3), (4).	

(d) Feedback and control mechanisms, including risk and safety management as well as monitoring processes

1.	The relevant regulatory framework conditions;	
2.	The processes, the methods, the content and the results of risk assessment and monitoring activities, performed by any of the involved actors - railway undertakings, infrastructure managers, entities in charge of maintenance, maintenance workshops, other maintenance providers, manufacturers and any other actors, and the independent assessment reports referred in the applicable legislation of Georgia;	
3.	The safety management system of the involved railway undertaking(s) and infrastructure manager(s) including the basic elements stated in the applicable legislation of Georgia;	
4.	The management system of the entity/entities in charge of maintenance and maintenance workshops including the functions stated in the management system;	
5.	The results of supervision performed by the Rail Transport Agency in accordance with applicable legislation of Georgia;	
6.	The authorizations, certificates and assessment reports granted by the European Union Agency for Railways, the Rail Transport Agency or other conformity assessment bodies: <ul style="list-style-type: none"> <li>➤ Safety authorization/safety certificates of the involved infrastructure manager(s) and railway undertaking(s),</li> <li>➤ Authorizations for placing in service of fixed installations and vehicles authorizations for placing on the market,</li> <li>➤ Entities in charge of maintenance and maintenance workshops (including certification).</li> </ul>	
7.	Other systemic factors.	

(e) Previous occurrences of a similar character, if available.

## **5. Conclusions**

The conclusions shall contain:

- (a) A summary of the analysis and conclusions with regard to the causes of the occurrence. The conclusions shall summarize the identification of the causal and contributing factors to the occurrence, including both immediate and deeper systemic factors, as well as missing or inadequate safety measures for which compensatory measures are recommended. Moreover, it shall refer to the capability of the involved organizations to address this via their safety management systems, in order to prevent future accidents and incidents.
- (b) Measures taken since the occurrence;
- (c) Additional observations: Safety issues identified during the investigation, but without relevance to the conclusions on causes and consequences of an occurrence.

## **6. Safety recommendations**

- 6.1. The safety recommendation is a non-binding public, official and documented proposal of the Investigation Bureau based on the information and analysis resulted from investigation of the railway accident or incident.
- 6.2. The aim of the safety recommendations is to improve railway safety and prevent similar occurrences in the future.
- 6.3. The safety recommendation issued by the Investigation Bureau shall in no case create a presumption of guilt or liability related to a railway accident or incident.
- 6.4. The recommendations shall be issued to the Rail Transport Agency, as well as, depending on the specifics of the recommendations, to another authority, agency or legal entity. The Rail Transport Agency, other authority, agency or legal entity shall, within the scope of its competence, take appropriate measures to ensure safety.
- 6.5. The Rail Transport Agency, other authority, agency or legal entity shall from time to time submit a report to the Investigation Bureau reflecting the measures taken or planned as a result of the issued recommendation.

## Report Form

Part 1					
1	Date of compilation:				
Part 2					
1	Type: <input type="checkbox"/> Railway accident <input type="checkbox"/> Incident				
2	Date of incident /incident (dd/mm/yy):	Reporting date:			
3	Scene of accident / incident:				
Part 3					
1	Departure date:				
2	Direction:				
3	Train identification (train number):				
Part 4					
1	General description of accident / incident:	Conditions (weather and temperature):			
2	Cause:				
Part 5					
1	Body injury:  <i>*In case of injury: Name and surname of the injured personnel, place of residence, type of injury:</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No			
2	Property damage:				
Part 6					
1	Person filling out the form:	Name:	Position:	Tel.:	E-mail:
2	Company details:	Name of company:	Type of activity: <input type="checkbox"/> railway undertaking; <input type="checkbox"/> infrastructure manager; <input type="checkbox"/> entity in charge of maintenance (ECM)	ID code:	Tel.: