



NEW SOUTH WALES STATE CORONER'S COURT

FINDING OF CORONER

Section 22 Coroners Act 1980

Inquest held at the State Coroner's Court sitting at **Glebe**, on the **25th August 2009** before **Deputy State Coroner, Magistrate Paul MacMahon**, concerning the death of **Colin Pay**.

Colin Pay died on 7 December 2007 at Lake Liddell, Muswellbrook. The cause of his death was drowning which occurred following him becoming incapacitated due to closed head and neck injury sustained when the aircraft he was controlling crashed into Lake Liddell whilst testing an experimental water extraction process to be used to assist in fire bombing operations during bush fires.

GIVEN under my hand and seal this 25th August 2009



Magistrate P MacMahon
Deputy State Coroner

Inquest into the death of Colin Pay – 0143/08

Recommendation under s 22A of the Coroners Act 1980

To: The Minister for Infrastructure, Transport, Regional Development and Local Government (Commonwealth).

1. That such action be taken, including the amendment of the Civil Aviation Regulation if necessary, to require that an applicant for a special Certificate of Airworthiness (Experimental Certificate) provide as part of that application a comprehensive risk identification and mitigation analysis of the proposed experimental use of the aircraft the subject of the certificate and that such analysis be undertaken in accordance with AS/NZS 4360: 2004 (or other appropriate alternative).

To: The Chief Executive, Civil Aviation Safety Authority

1. That policies and procedures be developed to assist officers of CASA and others responsible for the issue of Special Certificates of Airworthiness (Experimental Certificates) to assist them to identify issues for consideration especially matters relating to safety arising from the use of the aircraft the subject of such certificates.
2. That officers' of CASA, and others responsible for the issue of Special Certificates of Airworthiness (Experimental Certificates), be required to maintain a record of the decision making process (including matters considered) leading to the issue of such certificates.

Magistrate Paul MacMahon

Deputy State Coroner

25th August 2009