

1. LOCATION OF OCCURRENCE

4 miles south of St. Mary's, New South Wales.	Height a.m.s.l. (ft) 150 feet	Date 27.12.70	Time (Local) 1340	Zone EST
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2. THE AIRCRAFT

Name and Model Gyroplane to Bensen Type B8MV Design	Registration Not Registered	Certificate of Airworthiness	Valid from Certificate of Airworthiness not issued.	Valid to
Registered Owner Charles Spiteri, 49 Baxter Road, Bass Hill, New South Wales.	Operator Charles Spiteri, 49 Baxter Road, Bass Hill, New South Wales	Degree of damage to aircraft Destroyed		Other property damaged Nil

Defects discovered

In the course of the investigation several deficiencies in the construction and/or the maintenance of the aircraft structure were noted. It has not been determined that any of these deficiencies contributed to the accident.

3. THE FLIGHT

Last or intended departure point Erskine Park Quarry Airstrip	Time of departure 1337 Approximately	Next point of intended landing Erskine Park Quarry Airstrip	Purpose of flight Local	Class of operation Private
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4. THE CREW

Name	Status	Age	Class of licence	Hours on type	Total hours	Degree of injury
Charles SPITERI	Pilot	39	None	Estimated 190	Estimated 240 Gyrocraft	Fatal

5. OTHER PERSONS (All passengers and persons injured on ground)

Name	Status	Degree of injury	Name	Status	Degree of injury

6. CONTRAVENTIONS OF REGULATIONS AND ORDERS

Regulation or Order No.	Nature of contravention
	SEE ATTACHED SHEET

7. RELEVANT EVENTS

The pilot had never received any formal flying training. He did not hold a pilot licence and it is probable that he did not meet the medical standards laid down for the holders of such licences. He had flown gyro craft over a period of 4 years and on the day of the accident he was flying a self built, unregistered, unapproved aircraft of the type within the close environs of the airstrip. His own sets of rotor blades were unserviceable and he had fitted a borrowed set of wooden blades which he had not previously used. The performance characteristics of this set varied from his own blades and were significantly different to a set of borrowed metal blades he had used exclusively for some months before the accident. He flew for 30 minutes on a series of brief flights, adjusting the tracking of the borrowed blades and when he was satisfied that they were tracking accurately, he took off and then made a low run along the airstrip. The aircraft then climbed to a height of about 70 feet, turned to the left through some 250 degrees and straightened when it was headed obliquely towards the centre of the strip. The manoeuvres were controlled, were made at a slow speed and were consistent with the flying habits of the pilot. Soon after the turn was completed there was a noise similar to an engine backfire, a puff of smoke or vapour appeared and the craft entered a steep nose down descent. The descent angle was reduced, but recovery was not effected before the aircraft impacted heavily on an upslope.

8. OPINION AS TO CAUSE

The cause of the accident was that the pilot, who was not licenced, did not ensure that the design, construction and maintenance of the aircraft, and the manner in which it was operated, met standards which provided an adequate margin of safety.

Report approved 	(D.S. GRAHAM)	Designation Assistant Director-General (Air Safety Investigation)	Date 7.10.71
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6. CONTRAVENTIONS OF REGULATIONS AND ORDERS

REGULATION OR ORDER NO.	NATURE OF CONTRAVENTION
A.N.R. 108 (1A)	The aircraft was flown when not registered.
A.N.R. 52 (5)	The pilot flew a private aircraft when he was not the holder of a private pilot licence.
A.N.R. 38 (1)	The aircraft had been manufactured, processed, modified, repaired, inspected, overhauled and maintained by a person who was not a person holding a valid certificate of approval for the purpose, did not hold a valid licence as a maintenance engineer, was not a person working under the supervision of a licenced maintenance engineer and was not a person authorised for the particular purpose.
A.N.R. 71 (1)	Log books were not maintained in respect of the aircraft.