

# **LETTER OF INTENT**

**between**

**The Australian Transport Safety Bureau  
(ATSB)**

**and**

**Le Bureau d'Enquêtes et d'Analyses  
pour la Sécurité de l'Aviation civile  
(BEA - France)**

**on**

**Co-operation Relating to Aircraft  
Accident and Incident Investigations**

**Le BUREAU D'ENQUETES ET D'ANALYSES POUR LA SECURITE DE L'AVIATION CIVILE, FRANCE (BEA) and the AUSTRALIAN TRANSPORT SAFETY BUREAU (ATSB), together known as "the Parties",**

- (a) Subscribing to the objective enshrined in Annex 13 to the Convention on International Civil Aviation ("the Chicago Convention") that the sole object of the investigation of an aircraft accident or incident shall be the prevention of accidents and incidents and that it is not the purpose of the investigation activity to apportion blame or provide a means of determining liability;
- (b) Committed to enhancing the capabilities and professionalism of their respective aircraft accident investigators;
- (c) Wishing to share expertise and experience relating to aviation investigation;
- (d) Acknowledging their common interest in establishing a lasting framework for cooperation in the area of aviation investigation.

**HAVE REACHED THE FOLLOWING UNDERSTANDING:**

### **Objective and Areas of Cooperation**

1. In entering into this Letter of Intent (LOI), the sole objective of both Parties is the enhancement of aviation safety.
2. Subject to any differences formally notified, the Parties will cooperate in aviation investigation, investigation training and sharing of information and expertise, consistent with the Standards and Recommended Practices of Annex 13 to the "Chicago Convention". The areas of cooperation are as follows:

(a) **Provision of Assistance**

The Parties will offer assistance and the use of air safety investigation facilities and equipment to each other as deemed appropriate and as resources permit. This assistance may include expertise in the fields of air traffic services, engineering, operations, flight recorders, human performance and management organisation.

(b) **Attendance of Courses and Training**

The Parties will, where practicable, invite each other's investigators to attend general or specialist investigation courses and training conducted by them.

(c) **Attachment to Investigation as Observers**

The Parties will facilitate the attachment of each other's investigators as observers in their investigation of accidents and serious incidents, with a view to enhancing the understanding of each other's investigation requirements and procedures, so as to permit an effective cooperation in any investigation of an accident or serious incident to a Party's aircraft in the other Party's territory pursuant to Annex 13 to the Chicago Convention.

(d) **Provision of Facilitations to Third Countries**

Each Party will, where applicable, endeavour to facilitate relations between the other Party and aircraft accident investigation authorities of third countries with which the first mentioned party has closer relations or to which it is geographically closer.

3. The Parties may develop additional areas of cooperation to widen the scope of this Letter of Intent.

**Confidentiality**

The Party that receives materials from the other Party shall handle the materials according to their confidentiality or proprietary status, within the bounds of the respective laws of the two States. Drafts, internal, or working documents that have been transmitted, except when explicitly indicated to the contrary, are to be considered as proprietary/confidential documents and treated as such.

Further details or confidentiality required may be specified by the investigator in charge in each investigation.

**Applicable legislation**

In the implementation of this Letter of Intent, the Parties will abide by the applicable legislation in their respective country. Neither Party will require the other Party to abide by the applicable legislation in its own country except as agreed to by other Party in writing or where one party is in the other's jurisdiction.

## Coordination

4. The contact person in **Australian Transportation Safety Bureau (ATSB)** for the implementation of this LOI is:

Deputy Director  
Air Safety Investigation  
Australian Transport Safety Bureau  
P O Box 967  
Civic Square ACT 2608  
Australia

Tel: +61 2 6274 6464 (Office), +61 417 660 194 (Mobile)  
Fax: +61 2 6274 6699  
E-mail: alan.stray@atsb.gov.au

5. The contact person in the **Bureau d'Enquêtes et d'Analyses pour la Sécurité de l'Aviation Civile (BEA), France** for the implementation of this LOI is:

Chef de la Division Information et Communication  
Bureau d'Enquêtes et d'Analyses pour la Sécurité de l'Aviation Civile (BEA)  
Aéroport du Bourget – Bâtiment 153  
93352 Le Bourget Cedex  
France

Tel: +33 1 49 92 73 13 (Office), +336 23 75 02 73 (Mobile)  
Fax: +33 1 49 92 72 03  
E-mail: alain.guilldou@bea-fr.org

## Financial Matters

6. Unless otherwise agreed, each Party should bear its own cost for the implementation of the matters set out in this LOI.

## Amendment

7. This LOI may be amended at any time by mutual consent of the Parties.

## Commencement and Duration

8. This LOI will come into effect on the date of signing and will remain in effect unless it is terminated by either Party giving one month's written notice to the other Party.

9. The Parties may, by mutual agreement, provide for the survival of any arrangement upon termination of this LOI.

Signed in duplicate, at Canberra, this 6<sup>th</sup> day of October 2005.



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**PAUL-LOUIS ARSLANIAN  
DIRECTOR  
BUREAU D'ENQUETES ET  
D'ANALYSES  
POUR LA SECURITE  
DE L'AVIATION CIVILE  
(FRANCE)**



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**KYM BILLS  
EXECUTIVE DIRECTOR  
AUSTRALIAN TRANSPORT  
SAFETY BUREAU**