

**TRANSPORT SAFETY INVESTIGATION ANNEX TO THE  
MEMORANDUM OF UNDERSTANDING  
BETWEEN  
THE GOVERNMENT OF AUSTRALIA  
AND  
THE GOVERNMENT OF PAPUA NEW GUINEA  
ON  
COOPERATION IN THE TRANSPORT SECTOR**

This Annex expresses the understanding of the Government of Papua New Guinea's Accident Investigation Commission and the Government of Australia's Australian Transport Safety Bureau ("the implementing authorities") on cooperation in transport safety investigations, pursuant to the Memorandum of Understanding between the Government of Australia and the Government of Papua New Guinea on Cooperation in the Transport Sector ("the Memorandum of Understanding"), signed at Brisbane on 13 November 2009.

**1. Aims of cooperation**

1.1 Cooperation under this Annex is intended to:

- a. affirm the common interest of the Parties in establishing legal and procedural frameworks that ensure aviation and maritime accident and incident safety investigations deliver findings which are acted upon to improve transport safety in the future;
- b. commit the Parties to enhancing the capabilities and professionalism of their respective aviation and maritime safety investigators; and
- c. provide for the sharing of expertise and experience between the Parties relating to aviation and maritime safety investigations;

**2. Implementation**

2.1 In accordance with paragraph 3b. of the Memorandum of Understanding, the following agencies are nominated as the implementing authorities of this Annex:

- a. for Papua New Guinea, the Accident Investigation Commission; and
- b. for Australia, the Australian Transport Safety Bureau

2.2 The implementing authorities will establish a joint meeting of senior officials from their respective agencies to oversee implementation of this Annex. The senior officials will meet annually and may meet more frequently as mutually agreed.

### 3. Designated representative

In order to coordinate cooperative activities, each implementing authority will designate a representative to be responsible for determining the particular directions of cooperation and for ensuring the effectiveness of all cooperation and exchange activities.

The designated persons for co-ordination and management of this Annex are:

#### AUSTRALIA

[REDACTED]  
Director – International  
[REDACTED]  
[REDACTED]

#### PAPUA NEW GUINEA

Chief Executive Officer  
PNG Accident Investigation Commission  
[REDACTED]

### 4. Areas of cooperation

4.1 The implementing authorities intend that the areas of cooperation will include, but not be limited to:

- a. Participation in investigations conducted by either implementing authority;
- b. Making places available on training courses hosted by either implementing authority, for the personnel of the other implementing authority, that relate to enhancing the capabilities and professionalism of transport safety investigators;

- c. Developing and sharing transport safety investigation methods and techniques in line with recognised international standards;
- d. Developing and sharing corporate support services and systems for the effective conduct of transport safety investigations;
- e. Providing forums for discussion to promote the development of effective investigation laws, policies and procedures to address international standards for transport safety investigations;
- f. Providing the opportunity for orientation visits and staff exchanges;
- g. Where facilities exist, assistance in the readout of electronic or other vehicle data collected in the course of a safety investigation, including Flight Data Recorders, Cockpit Voice Recorders and Voyage Data Recorders.

4.2 The implementing authorities will establish a Work Program to facilitate action on the areas of cooperation above, in accordance with paragraph 2d. of the Memorandum of Understanding.

## **5. Commitment of Personnel and other Resources**

5.1 The commitment of personnel and resources will be in accordance with paragraph 4b. of the Memorandum of Understanding.

## **6. Procedural arrangements for participation in an investigation**

### Aviation

6.1 In the event of an aviation accident or incident, participation will be in accordance with Annex 13 to Convention on International Civil Aviation (Chicago Convention), done at Chicago on 7 December 1944, subject to any differences lodged in accordance with article 38 of the Chicago Convention.

### Maritime

6.2 In the event of a marine casualty or incident, participation will be in accordance with the 'Code of the International Standards and Recommended Practices for a Safety Investigation into a Marine Casualty or Marine Incident' (Casualty Investigation Code) annexed to the International Convention for the Safety of Life at Sea (SOLAS), done at London on 1 November 1974. Participation will be in accordance with the Casualty Investigation Code, subject to any differences to the Recommended Practices that the Parties to the Memorandum of Understanding have notified each other of.

## **7. Amendment**

7.1 After coming into effect, this Annex may be added to or amended at any time by mutual consent of the implementing authorities specified in paragraph 2.1.

## **8. Date of effect, duration and termination**

8.1 This Annex will come into effect on the date of its signing;

8.2 This Annex will remain in effect for the life of the Memorandum of Understanding;

8.3 This Annex will terminate on the same date as the termination of the Memorandum of Understanding. This Annex may be terminated separately to the Memorandum of Understanding by either implementing authority for this Annex notifying the other implementing authority of its intention to terminate this Annex at least 6 (six) months in advance.

IN WITNESS WHEREOF, the Undersigned duly authorised thereto by their respective governments, have signed this Annex to the Memorandum of Understanding between the Government of Papua New Guinea and the Government of Australia on Cooperation in the Transport Sector.

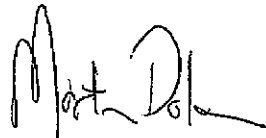
Signed at Brisbane..... on this 13<sup>th</sup> day of November 2009

FOR THE GOVERNMENT  
OF PAPUA NEW GUINEA

FOR THE GOVERNMENT  
OF AUSTRALIA



MINSON PENI, MBE  
DEPUTY CHAIRMAN  
ACCIDENT INVESTIGATION COMMISSION



MARTIN DOLAN  
CHIEF EXECUTIVE  
OFFICER  
AUSTRALIAN TRANSPORT  
SAFETY BUREAU