

Memorandum of Understanding (MOU)

Memorandum of Understanding
Between

Aviation Safety Department, DGCA

and

Aircraft Accidents & Incidents Investigation Office

Concerning
Investigation of Aviation Accidents

- **Preamble:**

The Aviation Safety Department, DGCA, hereinafter referred to as “the First Party,” and

Aircraft Accident Investigation Office, hereinafter referred to as “the Second Party,” and

collectively referred to as “**the Parties**,”

seeking to enhance understanding and co-operation between them in matters related to the investigation of aviation accidents and serious incidents.

Recognizing that the conditions arising from the implementation of this Memorandum shall be in line with the national and international policies, without contradicting local laws and regulations or

compromising the obligations of either Party at the national and international levels, and

Based on:

- ICAO Annex 13 to the Chicago Convention on International Civil Aviation 1944
- The Kuwait Civil Aviation Safety Regulations 13

The Parties have agreed as follows:

- **Article (1): Purpose**

This Memorandum aims to:

- Conduct independent investigations into aviation accidents or incidents to enhance aviation safety and prevent recurrence, without assigning blame or liability, and independently of other investigations, including those by legislative or judicial authorities.
- Secure immediate support to other Party when requested and allocate resources or manpower to be available at short notice (within 48 hours) for the purpose of investigations into aviation accidents or incidents.
- Resources to include documentations or manuals or checklists for the purposes of investigation.
- Manpower to include Investigators or Subject Matter Experts (SMEs) in the following: -
 - Aircraft Airworthiness.
 - Air Traffic Services.

- Aerodrome Certification.
 - Aircraft Operations.
 - Airport Operations Services.
 - Other expertise when available and deemed necessary.
- The coordination may be conducted through the following contact points:

1. First Party :-

Aviation Safety Director

Directorate General of Civil Aviation

- *E-mail: ha.alrasheed@dgca.gov.kw.*
- *Tel.: 24342475.*

2. Second Party :-

Director Aircraft Accidents & Incidents Investigation Office

- *E-mail: kr.khames@dgca.gov.kw.*
- *Tel.: 24341988.*

- Article (2): Investigation Duties

- Investigators or SMEs seconded to complete investigation duties shall be working under the direct supervision of an Investigator-in-charge (IIC).
- The seconded investigators or SME will be relieved from their normal duties during the secondment.
- Investigators or SMEs shall conduct all investigation duties in:

- a timely, effective and impartial manner, and.
 - not divulge information on the progress and the findings of the investigation without the express consent of the IIC.
- The duration of work may include irregular hours and the secondment period during the initial phase of the investigation could be as long as one month. Extension of the one month's period if necessary will be discussed and co-ordinated to arrive at a mutually agreeable timing.
 - **Article (3): Conflict of Interest and Free from Retribution**
 - The Second Party has the right to review the experience and qualification of any seconded expert proposed to ensure there is no potential conflict of interest in the conduct of an investigation before the acceptance of any nomination.
 - The Second Party has the right to contact those seconded investigators or SMEs in private after completion of all investigation duties to ascertain there is no element of retribution as a result of any actions taken during the course of an investigation.
 - **Article (4): Confidentiality**

Both Parties and persons involved in the implementation of this Memorandum shall maintain the confidentiality of all exchanged written and verbal information during and after the completion of an investigation. No information shall be disclosed or transferred except for investigation purposes and in accordance with applicable laws.

- **Article (5): Training**

The Parties shall collaborate to provide technical and legal training for specialists in aviation accident investigation, through local programs and workshops, and by participating in international events related to this field to benefit from expertise and enhanced outcomes.

- **Article (6): Review**

The Parties shall jointly review the implementation of this Memorandum during meetings or through written communication. The review may address investigation-related topics as outlined in this Memorandum.

- **Article (7): Entry into Force, Amendments, and Termination**

This Memorandum shall come into force upon the signature of the authorized representatives of both Parties and shall remain effective unless amended by mutual written agreement.

Signed by:

On behalf of the Second Party:

On behalf of the First Party:


Khalifa Rashid Jasim
Director of Aeronautical Accident & Incident Investigation Department

Khalifa Rashed Khames

Director AAIO


Engr. Hussam Al-Rasheed
Aviation Safety Director

Hussam Al Rasheed

Aviation Safety Director