

Memorandum of Agreement

BETWEEN

**The Air Accident Investigation Authority,
Hong Kong, China**

AND

**The Aviation and Railway Accident
Investigation Board of Korea, the Republic
of Korea**

ON

**Aircraft Accident
and Incident Investigations**

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PREAMBLE

The Air Accident Investigation Authority, Hong Kong, China and the Aviation and Railway Accident Investigation Board of Korea, the Republic of Korea, hereinafter referred to collectively as “the Participants”, or individually as “the Participant” or “each Participant”,

Reaffirming the objective enshrined in Annex 13 to the Convention on International Civil Aviation (“the Chicago Convention”) that the sole objective 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;

Committed to enhancing the capabilities and professionalism of their respective officers involved in aircraft accident and incident investigation;

Desiring to share expertise and experience in the field of aviation accident and incident investigation;

Recognizing their common interest in establishing a lasting framework for cooperation in the area of aviation investigation;

HAVE REACHED THE FOLLOWING AGREEMENT:

PARAGRAPH 1

Objective and Areas of Cooperation

1. The sole objective of both Participants in entering into this Memorandum of Agreement is the enhancement of aviation safety.
2. The Participants will cooperate in aircraft accident and incident 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) The Participants may exchange views on the latest development of international standards, and share experiences on developing legislation and rules administered in the respective area of each Participant that govern aircraft accident and incident investigation. Each Participant may offer assistance if necessary.
 - (b) The Participants may, by joint agreement and within the bounds of the respective domestic laws of the two Participants, facilitate exchanges of personnel for training and development, including

investigation training courses, hands-on experience and observer status at major investigation accident sites, and subsequent off-scene investigative activities.

- (c) Each Participant may offer assistance and the use of air safety investigation facilities and equipment to the other Participant as it deems appropriate and as resources permit. Such assistance may include expertise in the fields of air traffic services, engineering, operations, flight recorders, human performance and management organization.
- (d) The Participants will maintain regular contact and each Participant may organize visits to or meetings with the other Participant with the aim of exchanging experiences, skills and technical knowledge.

3. The Participants may develop additional areas of cooperation to widen the scope of this Memorandum of Agreement.

PARAGRAPH 2

Confidentiality

The Participant that receives materials, including drafts, internal or working documents, will handle the materials according to their confidentiality or proprietary status, within the bounds of the respective domestic laws of the two Participants. Drafts and internal or working documents that have been transmitted to the other Participant, except when explicitly indicated to the contrary, are to be considered as proprietary/confidential documents and treated as such by the receiving Participant.

PARAGRAPH 3

Amendment

This Memorandum of Agreement may be amended in writing at any time by mutual consent of the Participants through a direct Exchange of Notes. Such amendments will be communicated by an appropriate written document, signed by both Participants, which will outline the nature of the amendments.

Any difficulty regarding the interpretation or application of this Memorandum of Agreement including all amendments thereto will be resolved by consultation between the Participants.

PARAGRAPH 4

Applicable Legislation

In the implementation of this Memorandum of Agreement, the Participants will abide by the applicable legislation in their respective jurisdictions. Neither Participant will require the other Participant to abide by the applicable legislation in its own jurisdiction unless accepted by other Participant in writing.

PARAGRAPH 5

Coordination

The contact persons for the implementation of this Memorandum of Agreement are:

Chief Accident and Safety Investigator
Air Accident Investigation Authority,
Hong Kong, China

Level G, Facility Building
1 Tung Fai Road,
Hong Kong International Airport,
Lantau, Hong Kong

Director General
Aviation and Railway Accident
Investigation Board of Korea, the
Republic of Korea

Aviation and Railway Accident
Investigation Board
#94, Dasom-ro 2, Sejong Special
Self-governing City, 30110, the Republic
of Korea

PARAGRAPH 6

Implementation and Duration

This Memorandum of Agreement will be effective on the date of signing and will remain in effect unless it is terminated by either Participant giving thirty days' notice in writing to the other Participant.

The Participants may, by mutual consent, provide for the continuance of any arrangement entered into under this Memorandum of Agreement but not fully performed prior to the termination of this Memorandum of Agreement.

PARAGRAPH 7

Financial Matters

Unless otherwise jointly decided by both Participants, each Participant should bear its own cost for the implementation of the matters set out in this Memorandum of Agreement.

Signed in duplicate in English on the 21st day of January 2019

For the Air Accident Investigation
Authority,
HONG KONG, CHINA



Darren STRAKER
Chief Accident and Safety Investigator

Air Accident Investigation Authority
Hong Kong, China

For the Aviation and Railway Accident
Investigation Board of Korea,
REPUBLIC OF KOREA



MIN Poong-Sik
Director General

Aviation and Railway Accident
Investigation Board of Korea,
Republic of Korea