

## **DELEGATION AGREEMENT IN RESPECT OF AIRCRAFT ACCIDENT AND SERIOUS INCIDENT INVESTIGATION**

### **AGREEMENT BETWEEN**

**AIR ACCIDENT INVESTIGATION DEPARTMENT**

**of**

**THE COMMONWEALTH OF THE BAHAMAS**

**AND**

**NATIONAL TRANSPORTATION SAFETY BOARD**

**of**

**THE UNITED STATES OF AMERICA**

**REGARDING DELEGATION OF INVESTIGATION**

**IN RESPECT OF**

**AIRCRAFT ACCIDENT INVOLVING**

**AGUSTA SPA HELICOPTER MODEL AW139 REGISTRATION N32CC**

**CHALLENGER MANAGEMENT LLC**

## **1. DELEGATION**

1.1 An accident has occurred in the territory of the Commonwealth of the Bahamas on July 4, 2019 involving Challenger Management LLC helicopter, which originated in Grand Cay, Abaco, Bahamas.

1.2 This agreement expresses the delegation in whole of the investigation of the abovementioned accident by the Air Accident Investigation Department of the Commonwealth of the Bahamas to the National Transportation Safety Board of the United States of America hereafter referred to as the Parties to this agreement.

1.3 It is recognized that both the Commonwealth of the Bahamas, and the United States of America are parties to the Convention on International Civil Aviation (The Chicago Convention) and that they are therefore bound by the Standards contained in Annex 13 — *Aircraft Accident and Incident Investigation* to the Chicago Convention.

1.4 Both parties to this agreement are authorized by their respective Governments to act as the national authority representing The Commonwealth of the Bahamas and the United States of America in respect of aircraft accident and serious incident investigation matters.

1.5 This agreement is in accordance with Annex 13 to the Chicago Convention, Standard 5.1, which states “The State of Occurrence shall institute an investigation into the circumstances of the accident and be responsible for the conduct of the investigation, but it may delegate the whole or any part of the conducting of such investigation to another State or a regional accident investigation organization by mutual arrangement and consent. In any event, the State of Occurrence shall use every means to facilitate the investigation.” (Standard 5.1.2 of Annex 13 refers to delegation of investigation of serious incidents.)

## **2. TERMINOLOGY**

2.1 The words and phrases used in this document have the same meaning as that ascribed to them in Annex 13 — *Aircraft Accident and Incident Investigation*.

### **3. THE PURPOSE OF INVESTIGATIONS**

3.1 The sole objective of investigating an accident or incident in accordance with Annex 13 is for the prevention of accidents and incidents. It is not the purpose of such an investigation to apportion blame or liability.

### **4. CODE OF CONDUCT**

4.1 This agreement serves to foster cooperation and mutual assistance between the parties in implementing the provisions of Annex 13. Each party shall strive to overcome difficulties that may arise due to differences in languages, national cultures, legislative systems or geographic locations.

### **5. PARTICIPATION BY STATES AND OTHER ENTITIES**

5.1 In accordance with Annex 13, Standard 5.18, the State of Registry, the State of the Operator, the State of Design and the State of Manufacture shall each be entitled to appoint an accredited representative to participate in the investigation. Additionally, in accordance with Annex 13, Standard 5.23, any State which on request provides information, facilities or experts to the State conducting the investigation shall be entitled to appoint an accredited representative to participate in the investigation.

### **6. PROGRESS OF THE INVESTIGATION**

6.1 The two parties agree to work together to ensure that a competent investigation is conducted in accordance with the procedures and intent of Annex 13.

6.2 Either party may request information on the progress of the investigation being carried out by the other party. All possible efforts will be made to provide the requested information. In accordance with the relevant laws of the respective States, any such information provided should be treated with at least the same rules with respect to confidentiality as those to which the providing party is bound.

6.3 It is recognized that the National Transportation Safety Board is responsible for the conduct of the whole investigation, including the issuance of the Final Report and the ADREP reporting.

## 7. COORDINATION

7.1 The contact person in the Air Accident Investigation Department of the Commonwealth of the Bahamas for the implementation of this agreement is:

Capt. Delvin R. Major

Chief Investigator of Air Accidents

Air Accident Investigation Department

Tel.: [REDACTED] (Office) [REDACTED] (Mobile)

Fax: [REDACTED]

E-mail: [REDACTED]

7.2 The contact person in the National Transportation Safety Board of the United States of America for the implementation of this agreement is:

Mr. Timothy Monville

National Transportation Safety Board Eastern Region

Tel.: [REDACTED] (Office)

Fax: [REDACTED]

E-mail: monvilt@ntsb.gov

Regards

[REDACTED]

Delvin R. Major

Chief Investigator of Air Accidents