




**AIRCRAFT ACCIDENT INVESTIGATION COMMITTEE
OF BANGLADESH (AAIC-BD)**

| | | |
|---|---|---|
|  |  |  |
| <p>Capt (Rtd) Salahuddin M Rahmatullah Head of AAIC-BD (Operations & AIG) E-mail: head@aaic.gov.bd Cell: +8801715027508</p> | <p>Gp Capt (Rtd) MD Harunur Rashid Member of AAIC-BD (Operations) E-mail: mops@aaic.gov.bd Cell: +8801617785671</p> | <p>Wg Cdr (Rtd) M M Asaduzzaman Member of AAIC-BD (Engineering) E-mail: mengr@aaic.gov.bd Cell: +8801713125955</p> |

**GOVERNMENT FORMS INDEPENDENT AIRCRAFT ACCIDENT INVESTIGATION COMMITTEE
PURSUANT TO CIVIL AVIATION ACT 2017**

Pursuant to Civil Aviation Act 2017, the Government of the People's Republic of Bangladesh has recently formed an Independent Aircraft Accident Investigation Committee (AAIC-BD) conforming Article 26 and Annex 13 of the Chicago Convention of International Civil Aviation Organization (ICAO). Bangladesh is one of the 193 Signatories of the Global Contracting States of the Chicago Convention, hence stands committed to implement the requirements of ICAO.

In conjunction with the Articles of the Chicago Convention, ICAO has developed altogether 19 Annexes on International Civil Aviation accommodating a huge number of Standards and Recommended Practices (SARPs). These SARPs have been mandated by ICAO for firm compliance by the Contracting States. Of these, Annex 13 outlines the SARPs on Aircraft Accident and Incident Investigation (AIG) which too are meant to be rigorously followed by the Contracting States of ICAO while investigating the Accident and Serious Incident of aircraft.

ICAO made an amendment in 11th edition of Annex-13 which stood applicable from Nov 2016. This amendment of ICAO Annex-13 in Chapter-3, Para-3.2 has been mandated for all contracting States to establish an Accident Investigation Authority (AIA) which shall be independent from State Aviation Authorities and other entities that could interfere with the conduct or objectivity of an investigation. This ICAO amendment came up for total neutrality and independence of investigation ensuring that any possible conflict of interest must be avoided at any cost. The ICAO Annex 13 also advocates that the investigation shall be separate from any judicial or administrative proceedings to apportion blame or liability.

All Civil Aviation activities in the undivided India were under 'Aircraft Act 1934' and were regulated by the 'Aircraft Rules 1920'. Subsequently, the 'Aircraft Rules 1920' was superseded on 23 March 1937 by the 'Aircraft Rules 1937'. On 27 July, 1960 the 'Civil Aviation Ordinance 1960' (CA Ordinance 1960) was promulgated abrogating the erstwhile Aircraft Act 1934.

Following the liberation of Bangladesh in 1971, the Civil Aviation activities started functioning by the name 'The Department of Civil Aviation' (DCA) and was aided by Airport Development Agency (ADA). In 1982, 'Civil Aviation

Authority Ordinance 1982' (CAA Ordinance 1982) was promulgated that merged the DCA and ADA into a single authority, known as the Civil Aviation Authority. This Authority was vested with more power regarding organizational management of Civil Aviation, but the Government reserved the power regarding financial management. As such, this arrangement did not serve the purpose well. Hence, in the year 1985, the present Civil Aviation Authority came into existence as a body corporate with full managerial power, both regarding organizational and financial, vested with it vide CAA Ordinance 1985. This ordinance repealed the CAA Ordinance 82 and dissolved the previously constituted Civil Aviation Authority transferring all its establishment, assets and liabilities to the new Authority. Meanwhile, pursuant to the provisions of the CA Ordinance 1960 and that of 1982, the Government of the People's Republic of Bangladesh published an official gazette vide reference S.R.O-398-L/84, dated 30 September 1984 promulgating 'Civil Aviation Rules 1984' (CAR 1984).

The 'CA Ordinance 1960', the 'CAA Ordinance 1985' and the 'CAR 1984' had been the Legal and Regulatory Framework for all Civil Aviation activities in Bangladesh. This 'Framework', until July 2017, empowered Chairman Civil Aviation Authority of Bangladesh (CAAB) to Administer and Regulate CAAB and, in addition, to conduct aircraft accident and incident investigation.

On 19 February 2017, Bangladesh enacted Civil Aviation Authority Act (CAA Act 2017) repealing the 'CAA Ordinance 1985' and on 19 July 2017, Bangladesh enacted another Act, the 'Civil Aviation Act' (CA Act 2017) repealing the 'CA Ordinance 1960'. It is worth mentioning that Section 19 of CA Act 2017 mandates the Government to form a 'Committee' to conduct aircraft accident investigation independently, thus relieving CAAB of the responsibility to conduct the same. As a result, the newly enacted two Acts and the existing contents of the CAR 1984 (except the portion related to Aircraft Accident Inquiry) stand as the present Legal and Regulatory Framework for all Civil Aviation activities in Bangladesh, duly empowered to Chairman CAAB to Administer and Regulate the Civil Aviation.

Earlier, to response to ICAO requirement on the amendment 11 of Annex 13 and, pending the promulgation of CA Act 2017, as an interim temporary measure, Chairman CAAB through an Office Order in June 2016, designated an Aircraft Accident Investigation Group (AAIG-BD) comprising a Head of AAIG-BD and several others members to carry out Aircraft Accident Investigation independently. However, this interim measure seldom met the ICAO requirement on establishing an Independent Accident Investigation Authority (AIA) in Bangladesh.

Section 19 of the CA Act 2017 provides the concept of ICAO Annex-13, Chapter-3, Para-3.2 regarding the formation of an independent AIG by the Government to conduct aircraft accident investigation ensuring that it shall be independent from State Aviation Authorities and other entities that could interfere with the conduct or objectivity of an investigation. Hence, pursuant to Section 19 of CA Act 2017, the Government of the People's Republic of Bangladesh has formed the present Aircraft Accident Investigation Committee (AAIC-BD).

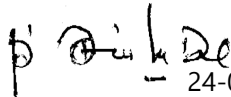
The AAIG-BD expects that the portion of the Rules that relates to 'Aircraft Accident Inquiry' in CAR 1984 will soon be transferred to the Head of AAIC-BD by the Government as an interim measure. Besides, the Head of AAIC-BD is confident that the most current Rules, already drafted and sent to MOCAT by the AAIC-BD, will be approved by the Government reflecting the most recent requirements of ICAO Annex 13 on Aircraft Accident Investigation to be incorporated in Bangladesh.

Many Contracting States of ICAO have implemented the Annex 13 requirement by establishing independent AIA. But for Bangladesh, it remained an outstanding obligation to implement this without having made the required provision through its Legislative Framework. Eventually, when the CA Act 2017 was passed by the National Parliament of Bangladesh and Section 19 Clause 1 and 2 identified the provisions for the Government to form an Independent Aircraft Accident Investigation Committee (AAIC-BD), the present Government has formed such Committee to comply with the ICAO mandate. This gave rise to an enhanced image, reputation and confidence of aviation activities of Bangladesh both internally and in global perspective. Needless to mention that, the implementation of the Standard and Recommended Practices of ICAO Annex 13 through constituting an Independent Aircraft Accident Investigation Committee has been an obvious step forward in aviation and reflects the firm commitment of Bangladesh to fulfil the requirements of ICAO.

The committee, at present, consists of one (1) Head with 'Flight operations' background and two (2) Members from different specialties such as, 'Flight Operations' and 'Engineering'. The present structure will be gradually enlarged and the Committee is expected to be renamed into an independent entity with Independent Legislation, Regulations, Orders etc. in the field of Aircraft Accident Investigation to fully satisfy the ICAO Convention.

The AAIC-BD at present functions from a temporary office in the premises of Civil Aviation Authority Headquarters at Kurmitola, Dhaka-1229. The contact details of the present officials of AAIC-BD are as shown at the beginning.

This newly formed Committee institutes investigation into the circumstances of aircraft accidents, serious incidents and incidents (wherever applicable) in compliance with the provisions of Annex 13. The Committee exercises unrestricted authority and independence in the conduct of Aircraft Accident and/or Serious Incident Investigation and is not indulged by any ambiguity, interference or influence from any corner, what so ever. The Committee remains firm to believe that the sole objective of the investigation of an aircraft accident or incident shall be the prevention of accidents and incidents and it shall not be the purpose of the Committee's activity to apportion blame or liability. The Committee also undertakes to announce that any investigation conducted by the Committee shall be separate from any judicial or administrative proceedings to apportion blame or liability.


24-07-2023

Capt (Retd) Salahuddin M Rahmatullah
Head, AAIC-BD