

# **DIRECTIVE FOR THE ACCIDENT INVESTIGATION BOARD NORWAY**

Laid down by the  
Ministry of Transport and Communications on 12 June 2009

## **1 Organisation**

The Accident Investigation Board Norway (AIBN) is an administrative agency that reports to the Ministry of Transport and Communications. The AIBN is an independent body as regards professional issues.

The areas of road, air and railway transport are the responsibility of the Ministry of Transport and Communications. Marine transport is the responsibility of the Ministry of Trade and Industry.

The Ministry of Transport and Communications cannot instruct the agency in professional matters in those areas for which the AIBN is responsible. With the exception of such matters as stated in Section 476, seventh subsection of the Norwegian Maritime Code, the same applies to the Ministry of Trade and Industry within the marine sector.

## **2 Objective**

The AIBN shall investigate accidents and serious incidents in the aviation, railway, road and marine sectors.

The objective of the investigations is to elucidate matters deemed to be significant for the prevention of transport accidents. The AIBN shall not apportion any blame or liability under civil or criminal law.

The AIBN itself decides the scale of the investigations to be conducted, including an assessment of the investigation's expected safety benefits with regard to necessary resources.

Details of the objectives within the various transport sectors:

### ***Aviation***

The AIBN shall investigate aviation accidents and serious aviation incidents within the framework stated in Act No. 101 of 11 June 1993 relating to Aviation (the Aviation Act), Chapter XII Notification, reporting and investigation of civil aviation accidents and civil aviation incidents etc., and regulations stipulated pursuant to the Act. Reference is also made to Council Directive 94/56/EC of 21 November 1994

establishing the fundamental principles governing the investigation of civil aviation accidents and incidents.

### ***Railways***

The AIBN shall investigate railway accidents and serious railway incidents within the framework stated in the Act of 3 June 2005, No. 34, relating to notification, reporting, and investigation of railway accidents and railway incidents etc. (the Railway Investigation Act), and regulations stipulated pursuant to the Act.

### ***Road traffic***

The AIBN shall investigate serious road accidents and road incidents within the framework stated in the Act of 18 June 1965, No. 4, relating to road traffic (the Road Traffic Act), Chapter VII Investigation of traffic accidents etc., and regulations stipulated pursuant to the Act.

### ***Marine***

The AIBN shall investigate marine accidents within the framework stated in the Norwegian Maritime Code of 24 June 1994, No. 39, Chapter 18 (II) Maritime inquiries, and regulations stipulated pursuant to the Code and obligations Norway has assumed under international law.

## **3 Delineation**

The activities of the AIBN do not comprise areas of responsibility that come under the Police and Prosecution Authority, the Armed Forces, the Norwegian Railway Inspectorate, the Norwegian Public Roads Administration, the Norwegian Civil Aviation Authority or the Norwegian Maritime Directorate.

The AIBN shall also cooperate with other parties to the extent necessary, where this may be beneficial in terms of resource use and user-friendliness.

## **4 Duties**

Within the framework of current legislation the responsibilities of the AIBN shall include:

- investigating transport accidents/incidents as mentioned in Item 2,
- preparing reports containing a statement from the AIBN on the causes of the accident/incident and any recommendations on matters the responsible party should consider rectifying to prevent

re-occurrences of the same or similar nature, but without outlining specific solutions.

- performing special duties of significance for safety as may be imposed on the agency by the Ministry of Transport and Communications, and for maritime matters in consultation with the Ministry of Trade and Industry, pursuant to statutes and regulations,
- representing the Ministry of Transport and Communications and/or the Ministry of Trade and Industry as required, or participating in meetings with the said ministries in various international organisations and forums within the relevant transport sectors.
- issuing comments/statements on matters submitted by the Ministry of Transport and Communications, and for maritime matters in consultation with the Ministry of Trade and Industry, to the extent requested by the ministries, assisting in processing cases, etc.

The AIBN shall report to the Ministry of Transport and Communications in the course of the year and in a separate annual report on the agency's activities and results.

The activities shall be conducted within the framework of current statutes, rules and regulations. Cases shall be considered in accordance with generally accepted administrative principles and applicable rules for case processing in the public sector.

## **5 Day-to-day management**

Day-to-day management of the AIBN is exercised by the Director General. The Director General is appointed by the King upon recommendation from the Ministry of Transport and Communications.

The Director General shall:

- inform the Ministry of Transport and Communications of important matters that come under the AIBN's area of responsibility,
- ensure good quality in cases submitted to the Ministry of Transport and Communications,

- decide all cases that do not require submission to a higher authority,
- ensure that the AIBN is run efficiently in accordance with current statutes, rules and regulations and the requirements stipulated in the management dialogue,
- ensure that there are documentable systems for internal control and risk management, and that evaluations are conducted of the agency's efficiency, goal achievements and results.

Within limited areas the Director General may delegate authority to other employees of the AIBN and issue further instructions for the performance of the delegated authority in general or for individual cases.

## **6 Authority to issue a directive**

The Ministry of Transport and Communications has the authority to stipulate a new directive or make changes in the directive.

## **7 Entry into force**

This directive enters into force on 12 June 2009.

From the same date the directive for the AIBN of 21 June 1999 with subsequent changes is repealed.