

Article 35

Constitution of
Board of
Inquiry

The Minister may constitute a Board of Inquiry for the purpose of investigating the circumstances of an accident, or where the Minister considers it necessary in the public interest, any other occurrence—

to a Libyan aircraft; or to any other aircraft in Libyan territory.

Article 36

Duties and
powers of
Board of
Inquiry

(1) The Board of Inquiry shall obtain and record all available relevant information and, in the case of an accident, where possible visit the scene of the accident and examine the wreckage.

(2) The Board of Inquiry shall have power to summon and examine witnesses on oath or affirmation and require the production of documents and the like, and for these purposes a member of the Board shall have power to sign a summons or other document necessary for the inquiry in the same manner as an investigating Judge has power to do under the Criminal Procedure Code.

Article 37

Accidents to
aircraft of Con-
tracting States

(1) Where the aircraft to which the accident has occurred is registered in a Contracting State, other than Libya, the Minister shall institute an inquiry into the circumstances of the accident and, subject to such conditions as he considers necessary, an accredited representative of the State of Registry, together with advisers, may participate in the inquiry, and, in that event the Minister shall, so far as he is able, facilitate inquiries by that representative.

(2) Notwithstanding paragraph (1) of this Article, the Minister may delegate the whole or any part of the inquiry to the accredited representative of the State of Registry.

Article 38

Accidents out-
side Libyan
territory

Where an accident which occurred outside Libyan territory is being investigated by a Contracting State other than Libya the Minister shall, on request, furnish that State with any relevant information available to him, including information concerning air safety facilities and services which may have been used by the aircraft prior to the accident, on condition that the State conducting the inquiry, if requested, permits a representative appointed by the Minister to participate in the inquiry.

Article 39

Report on
Inquiry

(1) The Board of Inquiry shall, as soon as practicable after the holding of an inquiry, forward to the Minister a