

No. 3361

**UNITED STATES OF AMERICA
and
ITALY**

Exchange of notes constituting an agreement relating to certificates of airworthiness for imported aircraft replacing article 9 of the Air Navigation Arrangement of 13 and 14 October 1931 between the Governments of those two countries. Rome, 12 November 1954 and 26 January 1955

Official texts: English and Italian.

Registered by the United States of America on 8 May 1956.

**ÉTATS-UNIS D'AMÉRIQUE
et
ITALIE**

Échange de notes constituant un accord relatif aux certificats de navigabilité des aéronefs importés, destiné à remplacer l'article 9 de l'Arrangement relatif à la navigation aérienne conclu les 13 et 14 octobre 1931 entre les Gouvernements de ces deux pays. Rome, 12 novembre 1954 et 26 janvier 1955

Textes officiels anglais et italien.

Enregistré par les États-Unis d'Amérique le 8 mai 1956.

No. 3361. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND ITALY RELATING TO CERTIFICATES OF AIRWORTHINESS FOR IMPORTED AIRCRAFT REPLACING ARTICLE 9 OF THE AIR NAVIGATION ARRANGEMENT OF 13 AND 14 OCTOBER 1931² BETWEEN THE GOVERNMENTS OF THOSE TWO COUNTRIES. ROME, 12 NOVEMBER 1954 AND 26 JANUARY 1955

I

The American Ambassador to the Italian Minister of Foreign Affairs

THE FOREIGN SERVICE OF THE UNITED STATES OF AMERICA

No. 2747

Excellency :

I have the honor to refer to negotiations which have recently taken place between the Government of the United States of America and the Government of Italy for the conclusion of a reciprocal arrangement for the acceptance of certificates of airworthiness for imported aircraft.

It is my understanding that it has been agreed in the course of the negotiations, now terminated, that the arrangement shall be as follows :

ARRANGEMENT BETWEEN THE UNITED STATES OF AMERICA AND ITALY RELATING TO CERTIFICATES OF AIRWORTHINESS FOR IMPORTED AIRCRAFT

Article I

(a) The present arrangement applies to civil aircraft constructed in continental United States of America, including Alaska, and exported to Italy ; and to civil aircraft constructed in Italy and exported to continental United States of America, including Alaska.

(b) This arrangement shall extend to civil aircraft of all categories, including those used for public transport and those used for private purposes as well as to components of such aircraft.

Article II

The same validity shall be conferred by the competent authorities of the United States on certificates of airworthiness for export issued by the Registro Aeronautico

¹ Came into force on 26 January 1955 by the exchange of the said notes.

² League of Nations, *Treaty Series*, Vol. CXXXVII, p. 209.

Italiano in Italy for aircraft subsequently to be registered in the United States as if they had been issued under the regulations in force on the subject in the United States, provided that such aircraft have been constructed in Italy in accordance with the airworthiness requirements of Italy.

Article III

The same validity shall be conferred by the competent authorities of Italy on certificates of airworthiness for export issued by the Civil Aeronautics Administration in the United States for aircraft subsequently to be registered in Italy as if they had been issued under the regulations in force on the subject in Italy, provided that such aircraft have been constructed in continental United States or Alaska in accordance with the airworthiness requirements of the United States.

Article IV

(a) The competent authorities of the United States shall arrange for the effective communication to the competent authorities of Italy of particulars of compulsory modifications prescribed in the United States, for the purpose of enabling the authorities of Italy to require these modifications to be made to aircraft of the types affected, whose certificates have been validated by them.

(b) The competent authorities of the United States shall, where necessary, afford the competent authorities of Italy facilities for dealing with noncompulsory modifications which are such as to affect the validity of certificates of airworthiness validated under the terms of this arrangement, or any of the other original conditions of validation. They will similarly give facilities for dealing with cases of major repairs carried out otherwise than by the fitting of spare parts supplied by the original constructors.

Article V

(a) The competent authorities of Italy shall arrange for the effective communication to the competent authorities of the United States of particulars of compulsory modifications prescribed in Italy, for the purpose of enabling the authorities of the United States to require these modifications to be made to aircraft of the types affected, whose certificates have been validated by them.

(b) The competent authorities of Italy shall, where necessary, afford the competent authorities of the United States facilities for dealing with noncompulsory modifications which are such as to affect the validity of certificates of airworthiness validated under the terms of this arrangement, or any of the other original conditions of validation. They will similarly give facilities for dealing with cases of major repairs carried out otherwise than by the fitting of spare parts supplied by the original constructors.

Article VI

(a) The competent authorities of each country shall have the right to make the validation of certificates of airworthiness for export dependent upon the fulfillment of any special conditions which are for the time being required by them for the issuance of certificates of airworthiness in their own country. Information with regard to these

special conditions in respect to either country will from time to time be communicated to the competent authorities of the other country.

(b) The competent authorities of each country shall keep the competent authorities of the other country fully and currently informed of all regulations in force in regard to the airworthiness of civil aircraft and any changes therein that may from time to time be effected.

Article VII

The question of procedure to be followed in the application of the provisions of the present arrangement shall be the subject of direct correspondence, whenever necessary, between the competent authorities of the United States and Italy.

Article VIII

(a) The present arrangement shall be subject to termination by either Government upon six (6) months notice given in writing to the other Government.

(b) This arrangement shall terminate and replace Article 9 of the arrangement between the United States of America and Italy for the admission of civil aircraft, the issuance of pilots' licenses, and the acceptance of certificates for aircraft and accessories imported as merchandise, effected by an exchange of notes signed at Washington on October 13 and 14, 1931.¹

Upon the receipt of a note from Your Excellency indicating that the foregoing provisions are acceptable to the Government of Italy, the Government of the United States of America will consider that this note and your reply thereto constitute an agreement between the two Governments on this subject, the agreement to come into force on the date of your note in reply.

Accept, Excellency, the assurances of my highest consideration.

Clare Boothe LUCE

Rome, Italy, November 12, 1954

His Excellency Gaetano Martino
Minister of Foreign Affairs
Rome

¹ League of Nations, *Treaty Series*, Vol. CXXXVII, p. 209.

(b) Questo accordo porrà termine e sostituirà l'Art. 9 dell'Accordo fra gli Stati Uniti d'America e l'Italia per l'ammissione degli aerei civili, il rilascio di licenze ai piloti e l'accettazione di certificati per gli aerei e gli accessori importati come merci, effettuato mediante lo scambio delle note firmate a Washington il 13 e 14 ottobre 1931.

Ho l'onore di assicurare V.E. che il testo che precede è stato approvato dal Governo italiano e pertanto la presente nota, unitamente alla nota di V.E. del 12 novembre 1954 costituiscono un accordo fra i due Governi.

L'accordo entra in vigore alla data della presente nota.

Voglia gradire, Eccellenza, l'assicurazione della mia più alta considerazione.

Il Ministro :
Gaetano MARTINO

Roma, li 26 gen. 1955

A Sua Eccellenza Clare Boothe Luce
Ambasciatore degli Stati Uniti d'America
Roma

[TRANSLATION¹ — TRADUCTION²]

MINISTRY OF FOREIGN AFFAIRS

D.G.A.E.-C.A.T.

No. 48/01320/77

Excellency,

I have the honor to acknowledge receipt of the note of November 12, 1954, by which Your Excellency informed me that the Government of the United States of America wishes to substitute a new text for Article 9 of the Air Navigation Arrangement between Italy and the United States of America for the admission of civil aircraft into the respective countries, the issuance of pilots' licenses, and the acceptance of certificates for aircraft and accessories imported as merchandise, concluded in Washington on October 13-14, 1931.

The text of the new arrangement communicated to me by Your Excellency is given below in Italian :

[See note I]

I have the honor to assure Your Excellency that the foregoing text has been approved by the Italian Government, and therefore the present note, together with Your Excellency's note of November 12, 1954, constitutes an arrangement between the two Governments.

¹ Translation by the Government of the United States of America.

² Traduction du Gouvernement des États-Unis d'Amérique.

The arrangement will enter into force on the date of the present note.
Accept, Excellency, the assurances of my highest consideration.

Gaetano MARTINO
Minister

Rome, January 26, 1955

Her Excellency Clare Boothe Luce
Ambassador of the United States of America
Rome