

No. 3867

**UNITED STATES OF AMERICA
and
NETHERLANDS**

**Exchange of notes constituting an agreement relating to
certificates of airworthiness for imported aircraft.
The Hague, 19 September and 4 November 1955**

Official text: English.

Registered by the United States of America on 4 June 1957.

**ÉTATS-UNIS D'AMÉRIQUE
et
PAYS-BAS**

**Échange de notes constituant un accord relatif aux
certificats de navigabilité concernant les aéronefs
importés. La Haye, 19 septembre et 4 novembre
1955**

Texte officiel anglais.

Enregistré par les États-Unis d'Amérique le 4 juin 1957.

No. 3867. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND THE NETHERLANDS RELATING TO CERTIFICATES OF AIRWORTHINESS FOR IMPORTED AIRCRAFT. THE HAGUE, 19 SEPTEMBER AND 4 NOVEMBER 1955

I

The American Chargé d'Affaires ad interim to the Netherlands Minister for Foreign Affairs and the Minister without Portfolio

AMERICAN EMBASSY

No. 191

The Hague, Netherlands, September 19, 1955

Excellencies :

I have the honor to refer to the informal discussions which have recently taken place between this Embassy and representatives of the Royal Netherlands Ministry of Foreign Affairs 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 discussions that the arrangement shall be as follows :

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

Article I

(a) The present arrangement applies to civil aircraft constructed in continental United States, including Alaska, and exported to the Kingdom of the Netherlands (Netherlands, the Netherlands Antilles, Surinam and Netherlands New Guinea); and to civil aircraft constructed in the Kingdom of the Netherlands 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.

¹ Came into force on 22 May 1956, date of receipt by the Government of the United States of America of a notification from the Government of the Netherlands that the approval constitutionally required in the Netherlands had been obtained, in accordance with the terms of the said notes.

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 competent authorities of the Kingdom of the Netherlands 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 the Kingdom of the Netherlands in accordance with the airworthiness requirements of the Kingdom of the Netherlands.

Article III

The same validity shall be conferred by the competent authorities of the Kingdom of the Netherlands on certificates of airworthiness for export issued by the competent authorities of the United States for aircraft subsequently to be registered in the Kingdom of the Netherlands as if they had been issued under the regulations in force on the subject in the Kingdom of the Netherlands, 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 the Kingdom of the Netherlands of particulars of compulsory modifications prescribed in the United States, for the purpose of enabling the authorities of the Kingdom of the Netherlands to require modifications to be made in 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 the Kingdom of the Netherlands 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 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 the Kingdom of the Netherlands shall arrange for the effective communication to the competent authorities of the United States of particulars of compulsory modifications prescribed in the Kingdom of the Netherlands, 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 the Kingdom of the Netherlands 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.

(c) It is mutually agreed, however, that fulfillment of the foregoing provision be postponed to a later date in recognition of practical problems now confronting the Government of the Netherlands.

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 the Kingdom of the Netherlands.

Article VIII

(a) The present arrangement shall be subject to termination by either Government upon sixty days' notice given in writing to the other Government.

(b) Notwithstanding termination of the arrangement, the provisions of Articles IV and V shall remain in force for a period of 5 years after the date of termination of this arrangement in respect of aircraft, for which a certificate of airworthiness has been issued in accordance with the provisions of Articles II or III.

(c) Notwithstanding termination, this arrangement shall remain in force for a period of two years after the date of termination of this arrangement in respect of aircraft for which before the date of termination an application has been made for the issuance of a certificate of airworthiness in accordance with the provisions of this arrangement.

I have the honor to suggest that if these understandings meet with the approval of the Government of the Kingdom of the Netherlands, the present note and your Excellency's reply to that effect shall be considered as constituting an agreement between our two Governments. After the approval constitutionally required in

the Kingdom of the Netherlands has been obtained, the present agreement shall enter into force on the date of receipt by the Government of the United States of an appropriate notification from the Netherlands Government.

Please accept, Excellencies, the renewed assurances of my highest consideration.

Andreas G. RONHOVDE
Chargé d'Affaires, a. i.

Their Excellencies

J. W. Beyen
Minister for Foreign Affairs

and

J. M. A. H. Luns
Minister without Portfolio

Royal Netherlands Ministry for Foreign Affairs
The Hague

II

*The Netherlands Minister for Foreign Affairs and the Minister without Portfolio
to the American Chargé d'Affaires ad interim*

MINISTRY OF FOREIGN AFFAIRS
THE HAGUE

Communications Adviser

No. 129789

November 4, 1955

Sir,

We have the honour to acknowledge receipt of your note dated September 19, 1955, in which you notified us that in the course of informal discussions between representatives of this Ministry and of the American Embassy agreement has been reached on the conclusion of a reciprocal arrangement for the acceptance of certificates of airworthiness for imported aircraft, reading as follows :

[See note I]

We have the honour to state that the foregoing understandings are acceptable to the Government of the Kingdom of the Netherlands and that your note and the

present reply shall be considered as constituting an agreement between our two Governments. After the approval constitutionally required in the Kingdom of the Netherlands has been obtained the present agreement shall enter into force on the date of receipt by the Government of the United States of an appropriate notification from the Netherlands Government.

Please accept, Sir, the renewed assurances of our high consideration.

J. M. A. H. LUNS

Minister without Portfolio

J. W. BEYEN

Minister of Foreign Affairs

Mr. Andreas G. Ronhovde
Chargé d'Affaires a. i.
American Embassy
The Hague