

No. 4538

**NETHERLANDS
and
UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND**

**Exchange of notes constituting an agreement relating to
the mutual validation of certificates of airworthiness
for aircraft. The Hague, 22 October 1957**

Official text: English.

Registered by the Netherlands on 7 October 1958.

**PAYS-BAS
et
ROYAUME-UNI DE GRANDE-BRETAGNE
ET D'IRLANDE DU NORD**

**Échange de notes constituant un accord relatif à la valida-
tion réciproque des certificats de navigabilité des
aéronefs. La Haye, 22 octobre 1957**

Texte officiel anglais.

Enregistré par les Pays-Bas le 7 octobre 1958.

No. 4538. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE NETHERLANDS AND THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND RELATING TO THE MUTUAL VALIDATION OF CERTIFICATES OF AIRWORTHINESS FOR AIRCRAFT. THE HAGUE, 22 OCTOBER 1957

I

BRITISH EMBASSY
THE HAGUE

October 22, 1957

Monsieur le Ministre,

Acting upon instructions from Her Majesty's Principal Secretary of State for Foreign Affairs I have the honour to state that the Government of the United Kingdom of Great Britain and Northern Ireland are prepared, in consideration of a reciprocal undertaking by the Government of the Kingdom of the Netherlands and on the basis that they are satisfied with the steps taken in the Netherlands to maintain and enforce an adequate standard of airworthiness, to accord, subject to the conditions hereinafter set out, the following treatment to civil aircraft in respect of which a Netherlands certificate, as defined below, has been issued.

2. For the purposes of this Note, the term "Netherlands certificate" means a certificate of airworthiness issued by the competent Netherlands authorities in respect of a civil aircraft designed and constructed in, and under the regulations in force in the Netherlands.

3. Subject to the terms of this Note, Netherlands certificates issued in respect of aircraft subsequently registered in the United Kingdom shall be validated by the competent United Kingdom authorities and shall thereupon have the same effect as if they had been issued under the regulations in force in the United Kingdom.

4. Persons applying in the United Kingdom for the validation of a Netherlands certificate will be required to produce with the application the under-mentioned documents or their equivalent:

¹ Came into force on 5 August 1958, the date of receipt by the Government of the United Kingdom of a notification from the Government of the Netherlands stating that the approval constitutionally required in the Kingdom of the Netherlands had been obtained, in accordance with the provisions of the said notes.

- (a) A Netherlands certificate issued within sixty days of the date of application; if such certificate is more than sixty days old, the applicant will be required to obtain a renewal by the issuing authority before validation is effected. It is understood that the issuing of a Netherlands certificate of airworthiness to an aircraft for export to the United Kingdom will guarantee that the aircraft is equipped in accordance with the requirements of the United Kingdom operating regulations in force and that it complies with any other special conditions notified by the competent United Kingdom authorities to the competent Netherlands authorities in accordance with paragraph 6 of this Note.
- (b) The Flight Manual pertaining to the particular aircraft prepared in a form which will permit the aircraft to comply with the operating rules of the United Kingdom current at the date of validation.
- (c) The Service and Instruction Manual pertaining to the particular aircraft prepared in a form which will provide adequate information to maintain the aircraft at an acceptable standard of airworthiness.
- (d) A Weight Schedule showing the ascertained "empty weight" of the particular aircraft and the corresponding centre of gravity together with the limits between which the centre of gravity may be permitted to move. Such "empty weight" shall include the weight of all fixed ballast, unusable fuel, undrainable oil, total quantity of engine coolant, total quantity of hydraulic fluid, and the weight of all accessories, instruments, equipment and apparatus (including radio apparatus) and other parts regarded as fixed and irremovable. The Weight Schedule shall also include a list of accessories, equipment, apparatus and other parts regarded as removable, together with details of their respective weights and distance from the centre of gravity datum.

5. A validation conferred by the competent United Kingdom authorities in accordance with the terms of this Note will, on expiry, be renewed under the conditions laid down for the renewal of United Kingdom certificates. Reference to the competent Netherlands authorities will not be made unless special circumstances require it in any particular case.

6. The competent United Kingdom authorities may make the validation of the Netherlands certificates dependent on the fulfilment of any special conditions which are for the time being required for the issue of certificates of airworthiness in the United Kingdom. Information with regard to these special conditions shall from time to time be communicated to the competent Netherlands authorities.

7. In the event of the United Kingdom standard of airworthiness being revised and enforced in respect of aircraft whose certificates have been validated

in accordance with this Note, facilities will be given as and when necessary for referring to the authorities responsible for the approval of the original design of the aircraft particular problems arising from the application of any such revised standard.

8. The competent United Kingdom authorities may give special consideration to any type of aircraft which in practice appears to them to be below the normally accepted standard and, if they consider it necessary after consulting the competent Netherlands authorities, withhold or suspend validation.

9. The competent Netherlands authorities shall keep the competent United Kingdom authorities fully and currently informed of all regulations in force in the Netherlands in regard to the airworthiness of civil aircraft and any changes therein that may from time to time be effected.

10. (a) The competent Netherlands authorities shall arrange for the effective communication to the competent United Kingdom authorities of particulars of "compulsory modifications" prescribed in the Netherlands to enable the United Kingdom authorities should they see fit to require that these modifications be made to aircraft of the types affected whose certificates have been validated by them.

(b) The competent Netherlands authorities shall, where necessary, afford the competent United Kingdom authorities facilities for dealing with "non-compulsory modifications" which are such as to affect the validity of certificates of airworthiness validated under the terms of this Note, 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.

11. The competent United Kingdom authorities may determine absolutely the interpretation of their regulations on any point of doubt or difficulty which may arise in the application of their own standard of airworthiness.

12. The procedure to be followed in the application of the above provisions shall be the subject of direct correspondence, where necessary, between the competent United Kingdom and Netherlands authorities.

13. (a) The Government of the United Kingdom may terminate the arrangements set out in this Note at any time by means of a notification in writing addressed to the Government of the Kingdom of the Netherlands to take effect two calendar months after the date of its receipt.

(b) Notwithstanding termination, the provisions of paragraph 10 of this Note shall remain in force for a period of five years after the date of termination in respect of aircraft for which a certificate of airworthiness has been issued or validated in accordance with the terms of this Note.

(c) Notwithstanding termination, the arrangements set out in this Note shall remain in force for a period of two years after the date of termination in respect of aircraft for which before the date of termination application had been made for the issue or validation of a certificate of airworthiness in accordance with the terms of this Note.

14. I am to request that Your Excellency will be so good as to inform me whether the Government of the Kingdom of the Netherlands concur in the terms of this Note and are willing to grant reciprocal treatment to aircraft in respect of which United Kingdom certificates of airworthiness have been issued.

I have the honour to be, with the highest consideration, Monsieur le Ministre,

Your Excellency's obedient Servant,

(Signed) Paul MASON

His Excellency Mr. J. M. A. H. Luns
Royal Netherlands Minister for Foreign Affairs
The Hague

II

MINISTRY OF FOREIGN AFFAIRS
THE HAGUE

October 22, 1957

Monsieur l'Ambassadeur,

I have the honour to acknowledge receipt of Your Excellency's Note of the 22nd of October, 1957, setting forth the treatment which the Government of the United Kingdom of Great Britain and Northern Ireland are prepared, in return for reciprocal treatment, to accord to civil aircraft in respect of which a certificate of airworthiness has been issued by the Kingdom of the Netherlands. In reply, I have the honour to state that the Government of the Kingdom of the Netherlands concur in its terms and are prepared, in return for the treatment therein specified and on the basis that they are satisfied with the steps taken in the United Kingdom to maintain and enforce an adequate standard of airworthiness, to accord, subject to the conditions hereinafter set out, the following treatment to civil aircraft in respect of which a United Kingdom certificate, as defined below, has been issued.

[See note I]

14. I shall be glad if Your Excellency will inform me whether the Government of the United Kingdom concur in the terms of this Note and regard them as affording the reciprocal treatment referred to in Your Excellency's Note

under reference. In that event, I have the honour to suggest that these two Notes, together with Your Excellency's affirmative 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, this agreement shall enter into force on the date of receipt by the Government of the United Kingdom of a relevant notification from the Netherlands Government. As far as the Kingdom of the Netherlands is concerned, the agreement shall apply to the European part of the Kingdom only.

I avail myself of this opportunity, Monsieur l'Ambassadeur, to renew to Your Excellency the assurance of my highest consideration.

(Signed) J. LUNS

His Excellency Sir Paul Mason
Her Britannic Majesty's Ambassador
at The Hague

III

BRITISH EMBASSY
THE HAGUE

October 22, 1957

Monsieur le Ministre,

I have the honour to acknowledge receipt of Your Excellency's Note of the 22nd of October, 1957, setting forth the treatment which the Government of the Kingdom of the Netherlands are prepared, in return for the reciprocal treatment set out in my Note of today's date to accord to civil aircraft in respect of which United Kingdom certificates of airworthiness have been issued.

In reply, I have the honour to state that the Government of the United Kingdom of Great Britain and Northern Ireland concur in the terms of Your Excellency's Note under reference and regard them as affording the reciprocal treatment referred to in my aforementioned Note. The Government of the United Kingdom also concur in Your Excellency's suggestion that the said Notes of today's date together with the present reply, shall be considered as constituting an agreement between the two Governments, which shall enter into force upon the date of receipt by the Government of the United Kingdom of the notification referred to in Your Note and which shall apply as far as the Kingdom of the Netherlands is concerned to the European part of the Kingdom only.

I have the honour to be, with the highest consideration, Monsieur le Ministre,

Your Excellency's obedient Servant,

(Signed) Paul MASON

His Excellency Mr. J. M. A. H. Luns
Royal Netherlands Minister for Foreign Affairs
The Hague