

No. 4920

**UNITED STATES OF AMERICA
and
AUSTRIA**

Exchange of notes constituting an agreement relating to the reciprocal acceptance of certificates of airworthiness for imported aircraft. Washington, 30 April 1959

Official text : English.

Registered by the United States of America on 9 October 1959.

**ÉTATS-UNIS D'AMÉRIQUE
et
AUTRICHE**

Échange de notes constituant un accord relatif à la reconnaissance réciproque des certificats de navigabilité pour les aéronefs importés. Washington, 30 avril 1959

Texte officiel anglais

Enregistré par les États-Unis d'Amérique le 9 octobre 1959

No. 4920. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND AUSTRIA RELATING TO THE RECIPROCAL ACCEPTANCE OF CERTIFICATES OF AIRWORTHINESS FOR IMPORTED AIRCRAFT. WASHINGTON, 30 APRIL 1959

I

The Secretary of State to the Austrian Ambassador

DEPARTMENT OF STATE
WASHINGTON

April 30, 1959

Excellency :

I have the honor to refer to the discussions which have recently taken place between representatives of the Government of the United States of America and the Austrian Federal Government regarding reaching an understanding concerning the reciprocal acceptance of certificates of airworthiness for imported aircraft.

It is my understanding that the agreement shall be as follows :

1) (a) The present agreement applies to civil aircraft constructed in the United States, its territories and possessions and exported to Austria ; and to civil aircraft constructed in Austria and exported to the United States, its territories and possessions.

(b) As used herein, the term aircraft shall include civil aircraft of all categories including those used for public transport and those used for private purposes ; aircraft engines and propellers ; and spare parts for aircraft, aircraft engines and propellers which have been exported in accordance with this agreement.

2) 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 Austria 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 Austria and the competent authority of Austria has certified that the type design of the aircraft complies with the airworthiness requirements of Austria together with any special conditions prescribed in accordance with paragraph 6, and has certified that the particular aircraft conform to such type design.

¹ Came into force on 30 April 1959 by the exchange of the said notes.

3) The same validity shall be conferred by the competent authorities of Austria on certificates of airworthiness for export issued by the competent authorities of the United States for aircraft subsequently to be registered in Austria as if they had been issued under the regulations in force on the subject in Austria, provided, that such aircraft have been constructed in the United States, its territories or possessions, and the competent authority of the United States has certified that the type design of the aircraft complies with the airworthiness requirements of the United States together with any special conditions prescribed in accordance with paragraph 6, and has certified that the particular aircraft conform to such type design.

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

(b) In the case of aircraft for which the United States has issued certificates of airworthiness for export, subsequently validated by Austria, the competent authorities of the United States, shall when requested, afford the competent authorities of Austria assistance in determining that major design changes or major repairs made to such aircraft comply with the applicable airworthiness requirements of the United States.

5) (a) The competent authorities of Austria shall arrange for the effective communication to the competent authorities of the United States of particulars of compulsory modifications prescribed in Austria 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) In the case of aircraft for which Austria has issued certificates of airworthiness, subsequently validated by the United States, the competent authorities of Austria, shall when requested, afford the competent authorities of the United States assistance in determining that major design changes or major repairs made to such aircraft comply with the applicable airworthiness requirements of Austria.

(6) (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.

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

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

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

Accept, Excellency, the renewed assurances of my highest consideration.

For the Secretary of State :

W. T. M. BEALE

His Excellency Dr. Wilfried Platzer
Ambassador of Austria

II

The Austrian Ambassador to the Secretary of State

AUSTRIAN EMBASSY
WASHINGTON, D. C.

Sir :

I have the honor to refer to your note dated April 30, 1959 reading as follows :

[See note I]

I have the honor to convey the agreement of the Austrian Federal Government to the foregoing and I confirm that your note of April 30, 1959 and my reply given herewith constitute an agreement between our two Governments on this subject, the agreement to enter into force upon the date of this reply.

Accept, Sir, the renewed assurances of my highest consideration.

Dr. Wilfried PLATZER
Ambassador of Austria

Washington, D. C., April 30, 1959

The Honorable the Secretary of State