

No. 6023

**AUSTRIA, BELGIUM, DENMARK,
FINLAND, FRANCE, etc.**

Multilateral Agreement relating to Certificates of Airworthiness for Imported Aircraft (with schedule). Done at Paris, on 22 April 1960

Official texts: English, French and Spanish.

Registered by the International Civil Aviation Organization on 2 January 1962.

**AUTRICHE, BELGIQUE, DANEMARK,
FINLANDE, FRANCE, etc.**

Accord multilatéral relatif aux certificats de navigabilité des aéronefs importés (avec annexe). Fait à Paris, le 22 avril 1960

Textes officiels anglais, français et espagnol.

Enregistré par l'Organisation de l'aviation civile internationale le 2 janvier 1962.

No. 6023. MULTILATERAL AGREEMENT¹ RELATING TO CERTIFICATES OF AIRWORTHINESS FOR IMPORTED AIRCRAFT. DONE AT PARIS, ON 22 APRIL 1960

The States signatory hereto,

CONSIDERING that the Convention on International Civil Aviation, signed at Chicago on 7 December 1944,² contains certain provisions concerning certificates of airworthiness,

CONSIDERING that there is, however, no multilateral agreement for the issue and validation of certificates of airworthiness for aircraft imported from one State to another, and

CONSIDERING that it is desirable to make such arrangements in respect of such aircraft,

Have agreed as follows :

Article 1

This Agreement applies only to civil aircraft constructed in the territory of a Contracting State and imported from one Contracting State to another, provided that such aircraft :

- (a) have been constructed in accordance with the applicable laws, regulations and requirements relating to airworthiness of the State of construction ;
- (b) comply with the applicable minimum standards relating to airworthiness established pursuant to the Convention on International Civil Aviation ;

¹ In accordance with article 11, the Agreement came into force on 24 August 1961, the thirtieth day after the date of deposit of the second instrument of ratification. It subsequently entered into force for each State which deposited its instrument of ratification after that date, on the thirtieth day after the deposit of such instrument.

Following is a list of States which deposited their instruments of ratification with the International Civil Aviation Organization indicating the dates of deposit and the dates of entry into force of the Convention for each State :

	<i>Date of deposit</i>	<i>Date of entry into force</i>
Sweden	7 June 1960	24 August 1961
Austria	25 July 1961	24 August 1961
Spain	1 August 1961	31 August 1961
Switzerland	20 September 1961	20 October 1961
Belgium	6 October 1961	5 November 1961
United Kingdom of Great Britain and Northern Ireland (with declaration*)	5 December 1961	4 January 1962

* The letter of transmittal of the instrument of ratification of the United Kingdom contained the following :

" In transmitting this Instrument I am to inform you, with reference to Article 16 of the Agreement, that insofar as Her Majesty's Government are concerned, the expression ' metropolitan territory ' means the United Kingdom of Great Britain and Northern Ireland only. "

² See footnote 2, p. 162 of this volume.

- (c) can comply with the requirements of the operating regulations of the State of import; and
- (d) comply with any other special conditions notified in accordance with Article 4 of this Agreement.

Article 2

(1) If a Contracting State receives an application for a certificate of airworthiness in respect of an aircraft imported or being imported into its territory and subsequently to be entered on its register, it shall, subject to the other provisions of this Agreement, either :

- (a) render valid the existing certificate of airworthiness of such aircraft, or
- (b) issue a new certificate.

(2) However, if that State elects to issue a new certificate, it may, pending the issue thereof, render valid the existing one for a period not exceeding six months or for the unexpired period of the existing certificate, whichever is the lesser.

Article 3

Each application for the issue or validation of a certificate of airworthiness referred to in Article 2 shall be accompanied by the documents specified in the Schedule to this Agreement.

Article 4

A Contracting State to which an application has been made pursuant to Article 2 of this Agreement shall have the right to make the validation of the certificate dependent on the fulfilment of any special conditions which are for the time being applicable to the issue of its own certificates of airworthiness and which have been notified to all Contracting States. The exercise of such right shall be subject to prior consultation :

- (a) with the State that provided the aircraft concerned with its current certificate of airworthiness; and
- (b) if requested by that State, also with the State in whose territory the aircraft was constructed.

Article 5

(1) Each Contracting State reserves the right to defer the issue or validation of a certificate of airworthiness in respect of any aircraft imported or being imported into its territory if such aircraft :

- (a) appears, in practice, to have been maintained below the standards of maintenance normally accepted by that State;

- (b) appears to have features unacceptable to that State;
- (c) appears to have failed to comply with the applicable laws, regulations and requirements relating to airworthiness of the State where the aircraft was constructed; or
- (d) being an aircraft to which subparagraph (c) of Article 1 of this Agreement refers, is not for the time being able to comply with the requirements of the operating regulations of the State of import.

(2) In the cases referred to in subparagraphs (a), (b) and (c) of paragraph (1) above, each Contracting State may also withhold the issue or validation of a certificate of airworthiness after consultation with the State which provided the existing certificate of airworthiness and, if requested by the latter, also with the State in the territory of which the aircraft was constructed.

Article 6

A Contracting State which validates a certificate of airworthiness pursuant to the provisions of Article 2 of this Agreement shall, upon expiry of the period of such validation, either revalidate the existing one under conditions consistent with those applied by it to the renewal of its own certificates, or issue a new certificate. Nevertheless, such State may, prior to such action, refer to the State in the territory of which the aircraft concerned was constructed or to any Contracting State in which the aircraft was previously registered.

Article 7

Each Contracting State shall, to the greatest extent practicable, keep other Contracting States fully and currently informed of its laws, regulations and requirements relating to airworthiness, including any complementary operating regulations, and any changes therein effected from time to time. It shall also, upon request by a Contracting State which proposes to apply the provisions of Article 2 of this Agreement supply, as far as practicable, details of its laws, regulations and requirements relating to airworthiness on the basis of which it had issued or validated a certificate of airworthiness.

Article 8

A Contracting State in whose territory an aircraft is constructed and from which it is exported to another Contracting State that subsequently provides that aircraft with a valid certificate of airworthiness pursuant to Article 2 of this Agreement, shall :

- (a) communicate to all other Contracting States particulars of mandatory modifications to, and mandatory inspections of, that type of aircraft which may at any time be prescribed by it; and
- (b) on request, provide, as far as practicable, to any Contracting State information and advice on:
 - (i) the conditions on which the certificate of airworthiness was originally issued for that aircraft; and
 - (ii) major repairs which cannot be dealt with by the repair schemes included in the maintenance manual relating to that type of aircraft, or by the fitment of spare parts.

Article 9

The procedure to be followed in the application of the provisions of this Agreement may be the subject of direct communication between the competent authorities concerned with the issue and validation of certificates of airworthiness in each of the Contracting States. The decision of a Contracting State in regard to interpretation or application of its own laws, regulations and requirements relating to airworthiness shall, for the purposes of this Agreement, be final and shall be binding upon any other Contracting State.

Article 10

(1) This Agreement shall be open for signature by States members of the European Civil Aviation Conference.

(2) It shall be subject to ratification by the signatory States or to their approval in accordance with their constitutional procedures.

(3) The instruments of ratification shall be deposited with the International Civil Aviation Organization.

Article 11

(1) As soon as two of the signatory States have deposited their instruments of ratification of this Agreement, it shall enter into force between them on the thirtieth day after the date of deposit of the second instrument of ratification. It shall enter into force, for each State which deposits its instrument of ratification after that date, on the thirtieth day after the date of deposit of such instrument.

(2) As soon as this Agreement enters into force, it shall be registered with the United Nations by the Secretary General of the International Civil Aviation Organization.

Article 12

(1) This Agreement shall remain open for signature for six months after it has entered into force. Thereafter, it shall be open for accession by any non-

signatory State member of the European Civil Aviation Conference. After two years from its original entry into force, it shall be open also for accession by member States of the International Civil Aviation Organization that are not members of the European Civil Aviation Conference.

(2) The accession of any State shall be effected by the deposit of an instrument of accession with the International Civil Aviation Organization and shall take effect on the thirtieth day after the date of the deposit.

Article 13

(1) Any Contracting State may denounce this Agreement by written notification to the President of the European Civil Aviation Conference and to the International Civil Aviation Organization.

(2) Denunciation shall take effect on the thirtieth day after the date of receipt by the International Civil Aviation Organization of the notification of denunciation and shall affect only the denouncing State, except that :

- (a) the provisions of Article 8 of this Agreement shall continue in force for five years after the effective date of denunciation in respect of aircraft for which a certificate of airworthiness has been validated or issued in accordance with the terms of this Agreement;
- (b) the provisions of Articles 1 to 7 and 9 shall continue in force for two years after the denunciation in respect of aircraft for which application has been made before such date for the validation or issue of a certificate of airworthiness in accordance with the terms of this Agreement.

Article 14

1. The Secretary General of the International Civil Aviation Organization shall give notice to the President and all States members of the European Civil Aviation Conference, and any other State acceding to this Agreement :

- (a) of the deposit of any instrument of ratification or accession, and of the date thereof, within fifteen days from the date of deposit; and
- (b) of the receipt of any notification of denunciation, and of the date thereof, within fifteen days from the date of receipt.

(2) The Secretary General of the International Civil Aviation Organization shall also notify the President and the States members of the European Civil Aviation Conference of the date on which this Agreement enters into force in accordance with paragraph (1) of Article 11.

Article 15

(1) Not less than twenty-five per cent (25%) of the Contracting States shall be entitled, by request addressed to the International Civil Aviation Organization given not earlier than twelve months after the entry into force of this Agreement, to call for a meeting of Contracting States in order to consider any amendments which it may be proposed to make to the Agreement. Such meeting shall be convened by the International Civil Aviation Organization, in consultation with the President of the European Civil Aviation Conference, on not less than three months' notice to the Contracting States.

(2) Any proposed amendment to the Agreement must be approved at the meeting aforesaid by a majority of all the Contracting States, two-thirds of the Contracting States being necessary to constitute a quorum for the purpose of holding the meeting.

(3) The amendment shall enter into force in respect of States which have ratified such amendment when it has been ratified by the number of Contracting States specified by the meeting aforesaid, or at such time thereafter as may have been specified by the meeting.

Article 16

This Agreement shall apply to all the metropolitan territories of the Contracting States. Any Contracting State may, at the time of the deposit of its instrument of ratification or accession, specify by declaration addressed to the Secretary General of the International Civil Aviation Organization the territory or territories which shall be considered to be its metropolitan territory for the purposes of this Agreement.

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto, have signed the present Agreement.

DONE at Paris, on the twenty-second day of April one thousand nine hundred and sixty in a single copy in the English, French and Spanish languages, all three texts being equally authoritative.

This Agreement shall be deposited with the International Civil Aviation Organization, and the Secretary General of the Organization shall send certified copies thereof to all its member States.

Austria :
Autriche :
Austria :

O. JETTMAR
25 April 1960

Belgium :
Belgique :
Bélgica :

Baron JASPAR
28 avril 1960

Denmark :
Danemark :
Dinamarca :

Eyvind BARTELS
4 November 1960

Finland :
Finlande :
Finlandia :

A. LUNNELA

France :
France :
Francia :

D. HAGUENAU

Federal Republic of Germany :
République Fédérale d'Allemagne :
República Federal de Alemania :

H. BLANKENHORN
28 March 1961

Greece :
Grèce :
Grecia :

Philon PHILON
28 June 1961

Iceland :
Islande :
Islandia :
Ireland :
Irlande :
Irlanda :

R. C. O'CONNOR

Italy :

Italie :

Italia :

Leonardo VITETTI

Luxembourg :

Luxembourg :

Luxemburgo :

Pierre HAMER

The Netherlands :

Pays-Bas :

Holanda :

B. E. Quarles VAN UFFORD
2 September 1960

Norway :

Norvège :

Noruega :

Portugal :

Portugal :

Portugal :

Victor VERES

Spain :

Espagne :

España :

Manuel MARTINEZ MERINO

Sweden :

Suède :

Suecia :

Henrik WINBERG

Switzerland :

Suisse :

Suiza :

Ed. STECK

Turkey :

Turquie :

Turquía :

The United Kingdom of Great Britain and Northern Ireland :

Royaume-Uni de Grande-Bretagne et d'Irlande du Nord :

Reino Unido de Gran Bretaña e Irlanda del Norte :

Michael CUSTANCE

SCHEDULE TO THE AGREEMENT

LIST OF DOCUMENTS

The documents required to be produced in accordance with Article 3 of the Agreement¹ to which this Schedule is appended shall be :

(a) a certificate of airworthiness issued, renewed or validated within a period of sixty days immediately preceding the date of the application made pursuant to Article 2 of the Agreement;

(b) the flight manual pertaining to the particular aircraft, or such substitute therefor as is permitted in respect of certain categories of aircraft by the relevant Annex to the Convention on International Civil Aviation, giving the data in a form which will permit the aircraft to comply with the operating rules, and with any limitation complementary to those rules, in force in the State on whose register the aircraft is to be entered unless this requirement is specifically waived by that State;

(c) the maintenance manual pertaining to the particular aircraft prepared in a form which will provide adequate information for the maintenance of the airworthiness of the aircraft;

(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 wrappings 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; and

(e) such inspection and maintenance records as are required to enable the State on whose register the aircraft is to be entered to establish that the aircraft can achieve the standards of airworthiness of that State.

¹ See p. 212 of this volume.