

No. 6854

**UNITED STATES OF AMERICA
and
JAPAN**

**Exchange of notes constituting an agreement relating to
certificates of airworthiness. Washington, 1 February
1963**

Official text: English.

Registered by the United States of America on 7 August 1963.

**ÉTATS-UNIS D'AMÉRIQUE
et
JAPON**

**Échange de notes constituant un accord relatif aux certificats
de navigabilité des aéronefs. Washington, 1^{er} février
1963**

Texte officiel anglais.

Enregistré par les États-Unis d'Amérique le 7 août 1963.

No. 6854. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND JAPAN RELATING TO CERTIFICATES OF AIRWORTHINESS. WASHINGTON, 1 FEBRUARY 1963

I

The Ambassador of Japan to the Secretary of State

EMBASSY OF JAPAN
WASHINGTON, D.C.

February 1, 1963

Sir :

I have the honor to refer to the discussions which have taken place between representatives of the Government of Japan and the Government of the United States of America concerning the reciprocal acceptance of certificates of airworthiness for imported aircraft. It is my understanding that the two Governments have reached an agreement with respect to this matter upon the following terms :

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

(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 ; appliances which meet the minimum performance and environmental standards established by the regulations of the competent authorities of the exporting nations ; and spare parts for aircraft, aircraft engines, propellers and appliances which have been exported in accordance with this agreement.

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

¹ Came into force on 1 February 1963 by the exchange of the said notes.

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

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

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

6. (a) The competent authorities of each country shall have the right to make the validation of certificates of airworthiness for export issued by the competent authorities of the other country 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 Japan and the United States of America.

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 you indicating that the foregoing terms are acceptable to the Government of the United States of America, the Government of Japan will consider that the present note and your reply thereto constitute an agreement between the two Governments on this subject, which will become effective on the date of your reply.

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

K. ASAKAI

The Honorable Dean Rusk
Secretary of State

II

The Secretary of State to the Ambassador of Japan

DEPARTMENT OF STATE
WASHINGTON

Feb. 1, 1963

Excellency :

I have the honor to refer to your note of today's date which reads as follows :

[*See note I*]

I have the honor to inform Your Excellency that the foregoing proposals of the Government of Japan are acceptable to the Government of the United States of America and that Your Excellency's note and this reply are considered as constituting an agreement between our two Governments effective on this date.

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

For the Secretary of State :
Philip H. TREZISE

His Excellency Koichiro Asakai
Ambassador of Japan