

No. 10630

**UNITED STATES OF AMERICA
and
NEW ZEALAND**

Exchange of notes constituting an agreement concerning the reciprocal acceptance of certificates of airworthiness for imported aircraft. Washington, 20 March 1970

Authentic text : English.

Registered by the United States of America on 3 August 1970.

**ÉTATS-UNIS D'AMÉRIQUE
et
NOUVELLE-ZÉLANDE**

Échange de notes constituant un accord relatif à la reconnaissance réciproque des certificats de navigabilité pour les aéronefs importés. Washington, 20 mars 1970

Texte authentique : anglais.

Enregistré par les États-Unis d'Amérique le 3 août 1970.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT ¹
BETWEEN THE UNITED STATES OF AMERICA AND
NEW ZEALAND CONCERNING THE RECIPROCAL
ACCEPTANCE OF CERTIFICATES OF AIRWORTHINESS
FOR IMPORTED AIRCRAFT

I

DEPARTMENT OF STATE
WASHINGTON

20 March 1970

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 Government of New Zealand 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 New Zealand; and to civil aircraft constructed in New Zealand and exported to the United States, its territories and possessions.

(b) As used herein, the term aircraft shall, in the case of those exported from the United States, 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.

(c) As used herein, the term aircraft shall, in the case of those exported from New Zealand, mean only fixed wing airplanes not exceeding a maximum weight of 12,500 pounds including those used for public transport and those used for private purposes; and spare parts for aircraft 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

¹ Came into force on 20 March 1970, the date of the note in reply, in accordance with the provisions of the said notes.

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

3. The same validity shall be conferred by the competent authorities of New Zealand on certificates of airworthiness for export issued by the competent authorities of the United States for aircraft subsequently to be registered in New Zealand as if they had been issued under the regulations in force on the subject in New Zealand, 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 New Zealand of particulars of compulsory modifications prescribed in the United States, for the purpose of enabling authorities of New Zealand 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 New Zealand, the competent authorities of the United States shall, when requested, afford the competent authorities of New Zealand 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 New Zealand shall arrange for the effective communication to the competent authorities of the United States of particulars of compulsory modifications prescribed in New Zealand 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 New Zealand has issued certificates of airworthiness, subsequently validated by the United States, the competent authorities of New Zealand 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 New Zealand.

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 New Zealand.

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

If the foregoing provisions are acceptable to the Government of New Zealand, I have the honor to suggest that this note and your reply should constitute an agreement between our two governments, to enter into force on the date of your note in reply.

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

For the Secretary of State:

Frank E. LOY

His Excellency Frank Corner
Ambassador of New Zealand

II

The Ambassador of New Zealand to the Secretary of State

NEW ZEALAND EMBASSY
WASHINGTON, D. C. 20008

26/7/1

20 March 1970

Sir,

I have the honour to acknowledge the receipt of your note of today's date, the text of which reads as follows:

[See note I]

I have the honour to inform you that the provisions contained in your note are acceptable to the Government of New Zealand, which accordingly

regards your note and my present reply as constituting an Agreement between our two Governments, to enter into force on today's date.

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

Frank CORNER

The Honourable William P. Rogers
Secretary of State
Washington, D.C.
