

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-