

## SPAIN

### ***Agreement amending the Agreement of September 23, 1957***

*Effected by Exchange of Notes*

*Dated at Washington September 18 and October 13, 1978*

*From the Embassy of Spain to the Department of State*

Washington, D.C., September 18, 1978

The Embassy of Spain presents its compliments to the Department of State and has the honor to refer to the amendment, currently under discussion, of the Arrangement between the Governments of Spain and the United States of America relating to the reciprocal acceptance of certificates of airworthiness for imported aircraft and their parts, concluded on September 23, 1957 at Madrid.

During discussions which took place in May 1978 the Department of State proposed a new text for certain articles of the Arrangement. That text has been accepted by the Spanish Government. Consequently, it is proposed in this note verbale that the text of the Arrangement of September 23, 1957, be amended in the following manner, accepted by both Governments:

The text of Article I shall be deleted and replaced with the following text:

#### Article I

- (a) This arrangement applies to civil aircraft and appliances constructed in the United States, its territories, and possessions, and exported to Spain, and to civil aircraft and appliances constructed in Spain and exported to the United States, its territories, and possessions. Appliances covered in this arrangement are those which are individually determined to be included by mutual consent of the competent aeronautical authorities of the United States and Spain.
- (b) This arrangement shall extend to civil aircraft of all categories, including those used for public transportation and those used for private purposes, as well as spare parts for such aircraft.
- (c) As used herein, the term "appliance" shall include any instrument, equipment, mechanism, apparatus, or accessory used or intended to be used in operating an aircraft in flight, which is installed in, intended to be installed in, attached to or intended to be attached to an aircraft, as defined in paragraph (b) of this article, but is not part of the airframe, engine, or propeller, and shall include replacement and modification parts therefor.

Articles II and III, now in force, shall be renumbered as II(a) and II(b), respectively, and an Article III shall be added with the following text:

#### Article III

In the case of appliances, if the competent aeronautical authorities of the exporting State certify that the design of the appliance complies with the airworthiness requirements of the exporting State and with any special conditions which are required at the time by the importing State for the approval of appliances, and also certify that the particular appliance conforms to such design, the importing State shall give the same validity to the certification as if the certification had been made by its own competent aeronautical authorities.

The Embassy of Spain encloses the full powers issued by the Spanish Minister of Foreign Affairs to His Excellency José Lladó, Ambassador of Spain to the United States of America, authorizing him to proceed with the corresponding exchange of notes.

A note verbale from the Department of State to this Embassy accepting the amendments proposed in this note will be deemed sufficient for the Arrangement to be amended as indicated.

The Embassy of Spain avails itself of this opportunity to renew to the Department of State the assurances of its highest consideration.

Washington, D.C., September 18, 1978  
[Initialed]  
[SEAL]

Department of State,  
Washington, D.C.

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**SPAIN**

**Certificates of Airworthiness for Imported Aircraft**

*Agreement effected by exchange of notes  
Signed at Madrid September 23, 1957;  
Entered into force September 23, 1957.*

*The American Ambassador to the Spanish Minister of Foreign Affairs*

THE FOREIGN SERVICE  
OF THE  
UNITED STATES OF AMERICA

Madrid, September 23, 1957

Excellency:

I have the honor to refer to negotiations which have recently taken place between the Government of the United States of America and the Government of Spain for the conclusion of a reciprocal arrangement for the acceptance of certificates of airworthiness for imported aircraft.

It is my understanding that it has been agreed in the course of the negotiations, now terminated, that the arrangement shall be as follows:

ARRANGEMENT BETWEEN THE UNITED STATES OF AMERICA  
AND SPAIN RELATING TO CERTIFICATES OF AIRWORTHINESS  
FOR IMPORTED AIRCRAFT.

ARTICLE I

(a) The present arrangement applies to civil aircraft constructed in continental United States of America, including Alaska, and exported to Spain; and to civil aircraft constructed in Spain and exported to continental United States of America, including Alaska.

(b) This arrangement shall extend to civil aircraft of all categories, including those used for public transport and those used for private purposes as well as to components of such aircraft.

ARTICLE II

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 Spain 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 Spain in accordance with the airworthiness requirements of Spain.

ARTICLE III

The same validity shall be conferred by the competent authorities of Spain on certificates of airworthiness for export issued by the competent authorities of the United States for aircraft subsequently to be registered in Spain as if they had been issued under the regulations in force on the subject in Spain, provided that such aircraft have been constructed in continental United States or Alaska in accordance with the airworthiness requirements of the United States.

ARTICLE IV

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

(b) The competent authorities of the United States shall, where necessary, afford the competent authorities of Spain facilities for dealing with noncompulsory modifications which are such as to effect the validity of certificates of airworthiness validated under the terms of this arrangement, or any of the other conditions of validation. They will similarly give facilities for dealing with cases of major repairs carried out otherwise than by the fitting of spare parts supplied by the original constructors.

ARTICLE V

(a) The competent authorities of Spain shall arrange for the effective communication to the competent authorities of the United States of particulars of compulsory modifications prescribed

in Spain, 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) The competent authorities of Spain shall, where necessary, afford the competent authorities of the United States facilities for dealing with the noncompulsory modifications which are such as to affect the validity of certificates of airworthiness validated under the terms of this arrangement, or any of the other original conditions of validation. They will similarly give facilities for dealing with cases of major repairs carried out otherwise than by the fitting of spare parts supplied by the original constructors.

#### ARTICLE VI

(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.

#### ARTICLE VII

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

#### ARTICLE VIII

The present arrangement shall be subject to termination by either Government upon sixty days' 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 Government of Spain, the Government of the United States of America will consider that this note and your reply thereto constitute an agreement between the two Governments of this subject, the agreement to come into force on the date of your note in reply.

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

JOHN LODGE

His Excellency  
FERNANDO MARIA CASTIELLA,  
*Minister of Foreign Affairs,*  
*Madrid.*