

**CERTIFICATES OF AIRWORTHINESS FOR
IMPORTED GLIDER AIRCRAFT AND
AIRCRAFT APPLIANCES**

**Agreement Between the
UNITED STATES OF AMERICA
and FINLAND**

**Effected by Exchange of Notes
Signed at Washington March 7, 1974**



NOTE BY THE DEPARTMENT OF STATE

Pursuant to Public Law 89-497, approved July 8, 1966 (80 Stat. 271; 1 U.S.C. 113)—

“. . . the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence . . . of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof.”

State under Paragraph 4 of this Agreement, or with applicable laws, regulations and requirements of the importing State, as notified by the importing State as being applicable in the particular case, the importing State shall give the same validity to the certification as if the certification had been made by its own aeronautical authorities in accordance with its own applicable laws, regulations and requirements.

b. In case of a product produced in another State with which both Contracting Parties have agreements similar in scope for reciprocal acceptance of airworthiness certifications, if the aeronautical authorities of the State exporting the product provide a certification that the product conforms to the design covered by the certificate or approval issued by the importing State and certify that the product is in a proper state of airworthiness, the importing State shall give the same validity to such certification as if the certification had been made by its own aeronautical authorities in accordance with its applicable laws, regulations and requirements.

3. In the case of components which are products in the exporting State for export and use on products which are or may be certificated or approved in the importing State, if the aeronautical authorities of the exporting State certify that the component conforms to the applicable design data and meets the applicable test and quality control requirements which have been notified by the importing State to the exporting State, the importing State shall give the same validity to the certification as if the certification had been made by its own aeronautical authorities. This provision shall only apply to those components which are produced by a manufacturer in the exporting State pursuant to an agreement between that manufacturer and the product manufacturer in the importing State. Furthermore, it shall only apply in those instances where, in the judgment of the importing State, the component is of such complexity that determination of conformity and quality control cannot readily be made at the time that the component is assembled with the product.

4. The aeronautical authorities of the importing State shall have the right to make acceptance of any certification by the aeronautical authorities of the exporting State dependent upon the product meeting any additional requirements which the importing State finds necessary to ensure that the product meets a level of safety equivalent to that provided by the applicable laws, regulations and requirements which would be effective for a similar product produced in the importing State. The aeronautical authorities of the importing State shall promptly advise the aeronautical authorities of the exporting State of any such additional requirements.

5. The aeronautical authorities of each Contracting Party shall keep the aeronautical authorities of the other Contracting Party fully informed of all mandatory airworthiness modifications and special

inspections which they determine are necessary in respect of imported or exported products to which this Agreement applies.

6. The aeronautical authorities of the exporting State shall, in respect of products produced in that State, assist the aeronautical authorities of the importing State in determining whether major design changes and major repairs made under the jurisdiction of the importing State comply with the laws, regulations and requirements under which the product was originally certificated or approved. They shall also assist in analyzing those major incidents occurring on products to which this Agreement applies and which are such as would raise technical questions regarding the airworthiness of such products.

7. The aeronautical authorities of each Contracting Party shall keep the aeronautical authorities of the other Contracting Party currently informed of all relevant laws, regulations and requirements in their State.

8. In the case of conflicting interpretations of the laws, regulations or requirements pertaining to certifications or approvals under this Agreement, the interpretation of the aeronautical authorities of the Contracting Party whose law, regulation or requirement is being interpreted shall prevail.

9. For the purposes of this Agreement:

(a) "Products" means aircraft, engines, propellers and appliances;

(b) "Aircraft" means civil aircraft of all categories, whether used in public transportation or for other purposes, and includes replacement and modification parts therefor;

(c) "Engines" means engines intended for use in aircraft as defined in (b) and includes replacement and modification parts therefor;

(d) "Propellers" means propellers intended for use in aircraft as defined in (b) and includes replacement and modification parts therefor;

(e) "Appliance" means 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, or attached to the aircraft as defined in (b), but is not part of an airframe, engine or propeller, and includes replacement and modification parts therefor;

(f) "Component" means a material, part or sub-assembly not covered in (b), (c), (d), or (e) for use on civil aircraft, engines, propellers or appliances;

(g) "Produced in the territory of one Contracting Party" means that the product or component as a whole is fabricated in the exporting State, even though portions thereof may have been fabricated in another State; and

(h) "Applicable laws, regulations and requirements" means those airworthiness laws, regulations and requirements applicable

on the date of the airworthiness laws, regulations and requirements applied to the certification of the product in the exporting State.

10. The aeronautical authorities of each Contracting Party shall make such mutual arrangements in respect of procedures as they deem necessary to implement this Agreement.

11. For the purpose of the present Agreement the term "aeronautical authorities" shall mean, in the case of France, "le Secrétariat Général à l'Aviation Civile", and in the case of the United States "the Federal Aviation Administration" of the Department of Transportation. Each Contracting Party shall advise the other Contracting Party of any change in the name of the body authorized to perform the functions of its aeronautical authorities.

12. Each Contracting Party may give notice to the other Contracting Party, through diplomatic channels, of its desire to terminate this Agreement. The Agreement shall terminate twelve months after receipt of the notice by the other Contracting Party, unless, by agreement between the Contracting Parties, the notice is withdrawn before the expiry of that period.

13. This Agreement shall terminate and replace the Agreement between our two Governments for the reciprocal validation of certificates of airworthiness, effected by Exchange of Notes signed at Paris August 6 and December 14, 1956.[1]

Upon the receipt of a Note from Your Excellency indicating that the foregoing provisions are acceptable to the Government of the French Republic, the Government of the United States of America will consider that the present note and your reply thereto constitute an agreement between our two Governments on this subject which will enter into force on the date of your reply.

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

GALEN L. STONE

Chargé d'Affaires ad interim

His Excellency
MICHEL JOBERT,
Minister for Foreign Affairs
Paris.

FINLAND

Certificates of Airworthiness for Imported Glider Aircraft and Aircraft Appliances

*Agreement effected by exchange of notes
Signed at Washington March 7, 1974;
Entered into force March 7, 1974.*

The Finnish Ambassador to the Secretary of State

EMBASSY OF FINLAND
WASHINGTON, D.C.

WASHINGTON, D.C., *March 7, 1974*

SIR,

I refer to the discussions which have recently taken place between representatives of the Government of Finland and the Government of the United States of America regarding reaching an understanding concerning the reciprocal acceptance of certificates of airworthiness for imported civil glider aircraft and civil aircraft appliances.

It is my understanding that the agreement shall be as follows:

1. (a) The present agreement applies to civil glider aircraft and civil aircraft appliances (hereinafter referred to as "products") constructed in the United States, its territories and possessions and exported to Finland; and to similar products constructed in Finland and exported to the United States, its territories and possessions.

(b) As used herein:

- (i) the term civil glider aircraft shall include spare parts for civil glider aircraft which have been exported in accordance with this agreement;
- (ii) the term aircraft appliance means any equipment or aircraft part installed in, intended to be installed in, or attached to an aircraft, including replacement or modification parts therefor, but which is not a part of an aircraft engine or propeller and which is separately determined to be included in this agreement by mutual consent of the competent authorities of the United States and Finland.

2. The same validity shall be conferred by the competent authorities of Finland on certificates of airworthiness for export issued by the

competent authorities of the United States for products exported to Finland as if they had been issued under the regulations in force on the subject in Finland, provided, that such products 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 product 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 product conforms to such type design.

3. 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 Finland for products exported to the United States as if they had been issued under the regulations in force on the subject in the United States, provided that such products have been constructed in Finland and the competent authority of Finland has certified that the type design of the product complies with the airworthiness requirements of Finland together with any special conditions prescribed in accordance with paragraph 6, and has certified that the particular product conforms to such type design.

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

(b) In the case of products for which Finland has issued certificates of airworthiness, subsequently validated by the United States, the competent authorities of Finland shall, when requested, afford the competent authorities of the United States assistance in determining that major design changes or major repairs made to such products comply with the applicable airworthiness requirements of Finland.

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

(b) In the case of products for which the United States has issued certificates of airworthiness for export, subsequently validated by Finland, the competent authorities of the United States shall, when requested, afford the competent authorities of Finland assistance in determining that major design changes or major repairs made to such

products comply with the applicable airworthiness requirements of the United States.

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 products and any changes therein that may from time to time be affected.

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 Finland.

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

9. This agreement shall terminate and replace the agreement between our two Governments for the reciprocal validation of certificates of airworthiness for imported civil glider aircraft, effected by Exchange of Notes at Washington on November 3, 1965. [1]

Upon the receipt of a note from you indicating that the foregoing provisions are acceptable to the Government of the United States, the Government of Finland will consider that this note and your reply thereto constitute an agreement between the two Governments, which shall enter into force on the date of your reply.

Please accept, Sir, the renewed assurance of my highest consideration.

LEO TUOMINEN

Leo Tuominen

[SEAL]

His Excellency
 DR. HENRY A. KISSINGER
Secretary of State
Washington, D.C.

*The Secretary of State to the Finnish Ambassador*DEPARTMENT OF STATE
WASHINGTON

MARCH 7, 1974

EXCELLENCY:

I have the honor to refer to your note dated March 7, 1974 relating to the reciprocal acceptance of certificates of airworthiness for imported civil glider aircraft and civil aircraft appliances. The provisions set forth therein are acceptable to the Government of the United States of America. Accordingly your note and the present note shall constitute an agreement between our two Governments on this subject which shall enter into force on today's date.

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

For the Secretary of State
RAYMOND J. WALDMANNHis Excellency
LEO TUOMINEN,
Ambassador of Finland.