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CIVIL AERONAUTICS BOARD
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Civil Air Regulations Amendment 1-3
Effective: March 28, 1955
Adopted: March 28, 1955

AIRWORTHINESS CERTIFICATES FOR IMPORT AIRCRAFT

At the present time the United States has in effect bilateral agreements with eight foreign countries which provide for the reciprocal recognition of certificates of airworthiness for imported aircraft. Most of these agreements provide for the issuance of United States airworthiness certificates for aircraft imported from any of these countries, provided that the competent authority of the exporting country issues a certificate of airworthiness for the aircraft.

Although the United States has benefited substantially by these agreements, in that aircraft of United States manufacture have been readily accepted by foreign countries parties to such agreements as virtually meeting their airworthiness standards, this country has not been called upon, to any substantial degree, until relatively recently to reciprocate by issuing airworthiness certificates to aircraft of foreign manufacture. A resurgence of civil aircraft design and manufacture since World War II, particularly in Europe, has resulted in requests to the United States Government for the certification or approval of foreign manufactured aircraft and related products.

As a policy of the United States, the import of foreign manufactured aircraft and related products meeting United States levels of airworthiness has been encouraged as part of the expansion of two-way trade with friendly nations. This policy required compliance with the provisions of the applicable airworthiness parts of the Civil Air Regulations or with such other standards as would provide an equivalent level of airworthiness, regardless of the terms of the pertinent bilateral agreement.

The certification of aircraft under the bilateral agreements has caused administrative difficulties because these agreements provide only for the issuance of airworthiness certificates and not type certificates, whereas the Civil Aeronautics Act specifically requires a type certificate as a prerequisite for the issuance of an airworthiness certificate for aircraft.

Formerly the Civil Air Regulations made no provision for the issuance of certificates or approvals for foreign manufactured aircraft and related products in accordance with bilateral agreements. In order that these agreements can be carried out by the United States Government consistent with the Civil Aeronautics Act of 1938 and in a uniform manner with respect to all foreign manufactured aircraft and related products, certain provisions had to be incorporated into the Civil Air Regulations. Further there was a need for provisions for the issuance of approvals for all foreign manufactured materials, parts, and appliances.

New Part 10 of the Civil Air Regulations establishes rules for the issuance of type certificates for foreign aircraft and related products

under the terms of reciprocal agreements with foreign countries. In addition, rules for approval of related products (engines, propellers, etc.) which are manufactured in a foreign country with which the United States is party to a reciprocal agreement, and rules for approval of materials, parts, and appliances, which are manufactured in a foreign country are included in new Part 10. At the same time amendments were necessary to the present rules for aircraft airworthiness certification contained in Part 1 of the Civil Air Regulations.

New Part 10 and amendments to Part 1 permit the Administrator of Civil Aeronautics to issue certificates and approvals upon certification of a foreign government with which the United States has a reciprocal agreement that the aircraft, product, etc., meets the standards prescribed in the Civil Air Regulations for aircraft, products, etc., built in the United States or other standards which give the same level of airworthiness. The Administrator is also authorized to approve materials, parts, and appliances manufactured in a foreign country under the same standards. Aircraft, related products, etc., which become so certificated or approved are required by Part 10 to be designated as "import" and clearly labeled as such. Part 10 permits the Administrator of Civil Aeronautics to require any technical data respecting the foreign manufactured aircraft, related product, etc., which he might find necessary to carry out his responsibilities.

By the adoption of new Part 10 it is not intended that this part contain administrative requirements for import aircraft and related products which wholly replace the administrative requirements in Part 1. The latter are intended to be applicable except as they may be inconsistent with corresponding provisions of Part 10. For example, the requirements for identification markings, special flight permits, etc., contained in Part 1 are equally applicable to import aircraft. Also, the requirements for production certification and for changes in type design are also applicable, except that their application to any specific aircraft or related product depends upon the extent of technical data made available to the Administrator.

Interested persons have been afforded an opportunity to participate in the making of this regulation and due consideration has been given to all relevant matter presented. Since this amendment is one relieving restriction with regard to administrative requirements of the Civil Air Regulations, and imposes no additional burden on any person, it may be made effective immediately.

In consideration of the foregoing, the Civil Aeronautics Board hereby amends Part 1 of the Civil Air Regulations as follows, effective March 28, 1955:

1. By amending § 1.66 by adding the following sentence at the end thereof: "This provision shall also apply to import aircraft certificated in accordance with Part 10 of the Civil Air Regulations and § 1.67 (c) of this part."

2. By amending § 1.67 by deleting from the introductory sentence the words "paragraphs (a) and (b)" and inserting in lieu thereof the words "paragraphs (a) through (c)", and, also by adding a new paragraph (c) to read as follows:

1.67 Airworthiness certificate; requirements for issuance. * * *

(c) Import aircraft. An applicant for the original issuance of an airworthiness certificate for an import aircraft type certificated in accordance with Part 10 of the Civil Air Regulations shall be issued such certificate when the government of the country where the aircraft was manufactured certifies, or the Administrator finds, that the aircraft conforms to the type design and is in a condition for safe operation.

3. By amending § 1.68 by adding the following sentence at the end thereof: "This section shall also apply to import aircraft certificated in accordance with Part 10 of the Civil Air Regulations and § 1.69 of this part."

(Sec. 205, 52 Stat. 984; 49 U.S.C. 425. Interpret or apply secs. 601, 603, 1102, 52 Stat. 1007, 1009, 1026, as amended; 49 U.S.C. 551, 553, 672)

By the Civil Aeronautics Board:

/s/ John B. Russell

John B. Russell
Acting Secretary

(SEAL)

Part 1 last printed January 15, 1951.