

AVIATION

Safety

Agreement Between the
UNITED STATES OF AMERICA
and IRELAND

Signed at Dublin February 5, 1997



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.”

IRELAND

Aviation: Safety

*Agreement signed at Dublin February 5, 1997;
Entered into force February 5, 1997.*

**AGREEMENT BETWEEN
THE GOVERNMENT OF THE UNITED STATES OF AMERICA
AND
THE GOVERNMENT OF IRELAND
FOR PROMOTION OF AVIATION SAFETY**

The Government of the United States of America and the Government of Ireland, hereinafter referred to as the Contracting Parties,

Desiring to promote aviation safety and environmental quality,

Noting common concerns for the safe operation of civil aircraft,

Recognizing the emerging trend towards multinational design, production, and interchange of civil aeronautical products,

Desiring to enhance co-operation and increase efficiency in matters relating to civil aviation safety,

Considering the possible reduction of the economic burden imposed on the aviation industry and operators by redundant technical inspections, evaluations, and testing,

Recognizing the mutual benefit of improved procedures for the reciprocal acceptance of airworthiness approvals, environmental testing, and development of reciprocal recognition procedures for approval and monitoring of flight simulators, aircraft maintenance facilities, maintenance personnel, crew, and flight operations, and

Recalling each Contracting Party's obligations under the Convention on International Civil Aviation done at Chicago on 7 December 1944,¹

Have agreed as follows:

¹TIAS 1591; 61 Stat. 1180.

ARTICLE I

PURPOSES

- A. The Contracting Parties agree:
1. To facilitate acceptance by each Contracting Party of the other Party's (a) airworthiness approvals and environmental testing and approval of civil aeronautical products, and (b) qualification evaluations of flight simulators;
 2. To facilitate acceptance by each Contracting Party of the approvals and monitoring of maintenance facilities and alteration or modification facilities, maintenance personnel, crew, aviation training establishments, and flight operations of the other Party;
 3. To provide for co-operation in sustaining an equivalent level of safety and environmental objectives with respect to aviation safety.
- B. Each Contracting Party shall designate its civil aviation authority as the implementing authority for this Agreement. The United States of America designates the Federal Aviation Administration (FAA) of the Department of Transportation. Ireland designates the Irish Aviation Authority.

ARTICLE II

DEFINITIONS

For the purposes of this Agreement:

- A. "Airworthiness approval" means a finding that the design or change to a design of a civil aeronautical product meets standards agreed between the Contracting Parties or that a product conforms to a design that has been found to meet those standards, and is in a condition for safe operation.
- B. "Alterations or modifications" means making a change to the construction, configuration, performance, environmental characteristics, or operating limitations of the affected civil aeronautical product.
- C. "Approval of flight operations" means the technical inspections and evaluations conducted by a Contracting Party, using standards agreed between the

Parties, of an entity providing commercial air transportation of passengers or cargo, or the finding that the entity complies with those standards.

- D. "Civil aeronautical product" means any civil aircraft, aircraft engine, or propeller or subassembly, appliance, material, part, or component to be installed thereon.
- E. "Crew" means pilots, flight engineers, flight radio operators, flight navigators and flight attendants.
- F. "Environmental approval" means a finding that a civil aeronautical product complies with standards agreed between the Contracting Parties concerning noise and/or exhaust emissions. "Environmental testing" means a process by which a civil aeronautical product is evaluated for compliance with those standards, using procedures agreed between the Contracting Parties.
- G. "Flight simulator qualification evaluations" means the process by which a flight simulator is assessed by comparison to the aircraft it simulates, in accordance with standards agreed between the Contracting Parties, or the finding that it complies with those standards.
- H. "Maintenance" means the performance of inspection, overhaul, repair, preservation, and the replacement of parts, materials, appliances, or components of a product to assure the continued airworthiness of that product, but excludes alterations or modifications.
- I. "Monitoring" means the periodic surveillance by a Contracting Party's civil aviation authority to determine continuing compliance with the appropriate standards.

ARTICLE III

SCOPE

- A. The Contracting Parties' civil aviation authorities shall conduct technical assessments and work co-operatively to develop an understanding of each other's standards and systems in the following areas:
 - 1. Airworthiness approvals of civil aeronautical products;
 - 2. Environmental approval and environmental testing;

3. Approval of maintenance facilities, maintenance personnel, and crew;
 4. Approval of flight operations;
 5. Evaluation and qualification of flight simulators; and
 6. Approval of aviation training establishments.
- B. When the civil aviation authorities of the Contracting Parties agree that the standards, rules, practices, procedures, and systems of both Contracting Parties in one of the technical specialties listed in paragraph (A) of this Article are sufficiently equivalent or compatible to permit acceptance of findings of compliance made by one Contracting Party for the other Contracting Party to the agreed-upon standards, the civil aviation authorities shall execute written Implementation Procedures describing the methods by which such reciprocal acceptance shall be made with respect to that technical specialty.
- C. The Implementation Procedures shall include at a minimum:
1. Definitions;
 2. A description of the scope of the particular area of civil aviation to be addressed;
 3. Provisions for reciprocal acceptance of civil aviation authority actions such as test witnessing, inspections, qualifications, approvals, and certifications;
 4. Accountability;
 5. Provisions for mutual co-operation and technical assistance;
 6. Provisions for periodic evaluations; and
 7. Provisions for amendments to or termination of the Implementation Procedures.

ARTICLE IV
SETTLEMENT OF DISPUTES

Any disagreement regarding the interpretation or application of this Agreement or its Implementation Procedures shall be resolved by consultation between the Contracting Parties or their civil aviation authorities, respectively.

ARTICLE V
ENTRY INTO FORCE, AMENDMENT, AND TERMINATION

This Agreement shall enter into force upon signature and shall remain in force until terminated by either Contracting Party. Either Contracting Party may notify the other Contracting Party that it is terminating the Agreement. Such notification shall be by way of diplomatic note and shall take effect sixty days after its receipt by the other Contracting Party. Such termination will also act to terminate all existing Implementation Procedures executed in accordance with this Agreement. This Agreement may be amended by exchange of diplomatic notes between the Contracting Parties. Individual Implementation Procedures may be terminated or amended by the civil aviation authorities.

ARTICLE VI
OTHER AGREEMENTS

If, after entry into force of the Agreement, the provisions of another agreement that addresses matters covered by this Agreement become applicable to the Contracting Parties, the Contracting Parties shall consult to determine the extent to which this Agreement should be revised to take into account the other agreement.

IN WITNESS WHEREOF, the undersigned, being duly authorised by their respective Governments, have signed this Agreement.

DONE at Dublin, this 5th day of February 1997, in duplicate, each in the English language, both texts being equally authentic.

FOR THE GOVERNMENT OF THE
UNITED STATES OF AMERICA:

Jean Kennedy Smith

FOR THE GOVERNMENT
OF IRELAND:

Emmet Stagg