

**AGREEMENT BETWEEN
THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND
THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA
FOR PROMOTION OF AVIATION SAFETY**

The Government of the United States of America and the Government of the People's Republic of China, hereinafter referred to as "the Parties,"

Desiring to promote aviation safety and environmental quality;

Noting common concerns for the safe operation of civil aircraft;

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

Desiring to enhance cooperation 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 and environmental testing, and the development of reciprocal acceptance procedures for approval and monitoring of flight simulators, aircraft maintenance facilities, crew members, and flight operations,

Have agreed as follows:

ARTICLE I

A. The Parties agree:

1. To facilitate acceptance by each 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 the Parties of the approvals and monitoring of maintenance facilities and alteration or modification facilities, crew members, aviation training establishments, and flight operations of the other Party;
3. To provide for cooperation in sustaining an equivalent level of safety and environmental objectives with respect to aviation safety.

B. The Parties shall designate their civil aviation authorities as the executive agents to implement this Agreement. For the Government of the People's Republic of China, the executive agent shall be the General Administration of Civil Aviation of China (CAAC). For the Government of the United States, the executive agent shall be the Federal Aviation Administration (FAA) of the Department of Transportation.

ARTICLE II

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 Parties or the finding 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" mean 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 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. "Environmental approval" means a finding that a civil aeronautical product complies with standards agreed between the 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 Parties.

F. "Crew member" means a person assigned to duty in an aircraft during flight time with the authority of the aircraft operator.

G. "Flight simulator qualification evaluations" means the qualification process by which a flight simulator is assessed by comparison to the aircraft it simulates, in accordance with standards agreed between the 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 ensure the continued airworthiness of that product, but excludes alterations or modifications.

I. "Monitoring" means the periodic surveillance by the civil aviation authority of a Party to determine continuing compliance with the appropriate standards.

ARTICLE III

A. The Parties' civil aviation authorities shall conduct technical assessments and work cooperatively 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 and monitoring of maintenance facilities;
4. Approval and monitoring of flight operations and crewmembers;
5. Evaluation and qualification of flight simulators; and
6. Approval and monitoring of aviation training establishments.

B. In the event that the civil aviation authorities of the Parties agree that the standards, rules, practices, procedures, and systems of both 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 Party for the other 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. Once executed, each Implementation Procedure shall be considered an implementing agreement under this Agreement.

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, monitoring and certifications;
4. Accountability;
5. Provisions for mutual cooperation and technical assistance;
6. Provisions for periodic evaluations; and

7. Provisions for amendments to or termination of the Implementation Procedures.

ARTICLE IV

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

ARTICLE V

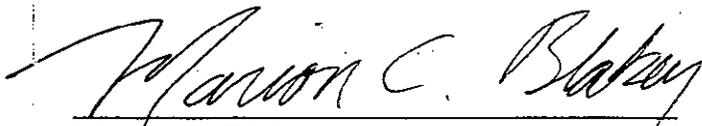
This Agreement shall enter into force upon signature and shall remain in force until terminated by either Party. Such termination shall be effected by sixty days written notification to the other Party. Such termination will also act to terminate existing Implementation Procedures executed in accordance with this Agreement. This Agreement may be amended by the written agreement of the Parties. Individual Implementation Procedures may be terminated or amended by the civil aviation authorities.

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

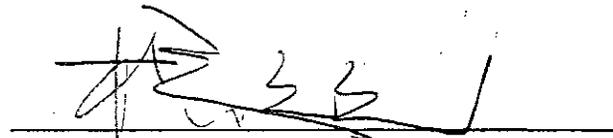
DONE at Washington, this twentieth day of October, 2005, in duplicate, in the English and Chinese languages.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

FOR THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA:



Marion C. Blakey
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