

- (j) "*Prior Agreement*" means the Arrangement between our two Governments for the reciprocal acceptance of Certificates of Airworthiness for export, effected by Exchange of Notes at Washington on July 28, 1938, as amended by Exchange of Notes at Ottawa on August 12, 1970, and February 18, 1971.
- (k) "*Product Airworthiness Approval*" means the issuance of an airworthiness certificate, approval, or acceptance, as appropriate, by an airworthiness authority for a particular civil aeronautical product to permit operation or use of the product under the laws, regulations, standards and requirements of the issuing State.
- (l) "*Type Design Approval*" means the certification, approval, or acceptance by the issuing airworthiness authority of the design of a product including its performance, operating characteristics, operating limitations, and environmental qualities.

5. *TYPE DESIGN APPROVAL*

- (a) If the airworthiness authority of the exporting State certifies to the airworthiness authority of the importing State that the type design of a product, or a change to a product type design previously approved by the airworthiness authority of the importing State, complies with airworthiness and environmental criteria prescribed by the airworthiness authority of the importing State, the airworthiness authority of the importing State shall, in finding compliance with its own laws, regulations, standards, and requirements for granting type design approval, give the same validity to the technical evaluations, determinations, tests, and inspections made by the airworthiness authority of the exporting State as if it had made them itself, with the understanding that the certification by the airworthiness authority of the exporting State was based on an evaluation of the type design using the same certification system it would apply to products designed in its own State. The airworthiness authority of the exporting State shall assist the airworthiness authority of the importing State in developing remedies, as may become necessary, to correct any unsafe condition of the type design that may be discovered after the product type design is approved by the importing State.
- (b) In prescribing the airworthiness and environmental criteria for the type design approval of a particular product, the airworthiness authority of the importing State shall give the maximum practicable consideration and credit to the laws, regulations, standards, requirements, and certification system applied by the airworthiness authority of the exporting State in granting its own type design approval; provided, that the airworthiness authority of the importing State shall have the right to become familiar with the product to be imported and with the laws, regulations, standards, requirements, and certification system applied by the airworthiness authority of the exporting State, and to specify any additional technical conditions which it finds necessary to ensure that the product meets the airworthiness and environmental standards equivalent to that which would be required for a similar product designed or manufactured in the importing State at the time that the application was received for the approval of the product type design by the airworthiness authority of the exporting State.