



Memorandum of Understanding between the Romanian Civil Aeronautical Authority and the Aviation Administration of Kazakhstan

The Romanian Civil Aeronautical Authority and the Aviation Administration of Kazakhstan, hereinafter referred to as “the Participants “,

Recognizing the important role that civil aviation has at national and international level,

Appreciating that their cooperation can positively contribute to encouraging greater international harmonization of standards and processes related to civil aviation safety, security and environmental compatibility,

Considering The Convention on International Civil Aviation, signed on the 7th of December 1944, in Chicago, to which Romania and the Republic of Kazakhstan are Participants,

Considering the Treaty of Accession signed between Romania and the member states of the European Union, on the 25th of April 2005, in Luxembourg,

Considering the Enhanced Partnership and Cooperation Agreement between the European Union and its Member States, of the one part, and the Republic of Kazakhstan, of the other part, signed on the 21st of December 2015 and entered into force on the 1st of March 2020, ratified by Law no.100/2017, in force starting with the 24th of June 2017,

Considering the Working Arrangement on Airworthiness between the European Union Aviation Safety Agency and The Interstate Aviation Committee, signed on the 15th of March 2017, of which the Republic of Kazakhstan is a part of,

Recognizing the respective commitments of the Participants under bilateral, regional and multilateral agreements dealing with civil aviation safety, security and environmental compatibility,

Desiring to enhance cooperation and increase efficiency in matters related to civil aviation safety, security and environmental compatibility,

Aspiring to promote civil aviation safety, security and environmental compatibility and to facilitate the free flow of civil aeronautical products,

Acknowledging the possible reduction of the economic burden imposed on the aviation industry by removing duplication in technical inspections, evaluations, and testing,

Wanting to implement the actions foreseen in the official request sent by the Aviation Administration of Kazakhstan, registered with the Romanian Civil Aeronautical Authority under no. 18510/03.06.2022,

Have reached the following understanding:

PARAGRAPH 1

Objectives

The transfer of expertise and the exchange of experience in order to maintain civil aviation safety in protected areas associated with aerodromes and radionavigation means, in conformity with the provisions of the ICAO Annexes to the Convention on International Civil Aviation, as well as enhancing cooperation in the civil aviation safety, security and sustainability domains.

PARAGRAPH 2

Collaboration domains

1. Collaboration between the Participants will look to consolidate the institutional capacity of the Aviation Administration of Kazakhstan in order for it to manage activities in the following domains:

- a) issuing approvals on technical documentation related to objectives in civil aeronautical protected areas or other areas where they may constitute obstacles to air navigation or affect the safety of flight on the territory and in the national airspace;
- b) aerodrome certification;
- c) civil aviation security;
- d) air operations, including unmanned aircraft systems;
- e) initial and continuing airworthiness of aircraft, including supervision of aircraft which do not hold a type certificate issued in conformity with the European Union legislation, as well as unmanned aircraft systems;
- f) registration / identification of civil aircraft, including unmanned aircraft systems.

2. For the duration of the MoU, if it is considered necessary, the Participants may extend the collaboration domains by adding new ones and use any other forms of civil aviation cooperation they jointly decide upon. Established working procedures specific to each domain of activity will be part of a consultancy contract concluded between the Participants, in order to grant technical assistance.

PARAGRAPH 3

Established working procedures

The collaboration among Participants will be accomplished by carrying out the following activities:

1. technical assistance and / or provision of services by the Romanian Civil Aeronautical Authority:

a) presenting the legislative framework applicable in the process of issuing approvals on technical documentation related to objectives in civil aeronautical protected areas or other areas where they may constitute obstacles to air navigation or affect the safety of flight on the territory and in the national airspace;

b) on the job training of the Aviation Administration of Kazakhstan personnel regarding the technical process of evaluation of the specific documentation in order to issue approvals that from a geometric, electromagnetic and operational point of view and are in accordance with the applicable provisions;

c) presenting the methods of use of aeronautical studies and software of simulation / impact on protected surfaces and on protected airspace volumes analysis, in the process of approving the technical documentation related to objectives in civil aeronautical protected areas or other areas where they may constitute obstacles to air navigation or affect the safety of flight on the territory and in the national airspace;

d) other collaboration activities associated with the activity domains common to both Participants, including the transfer of expertise, technical personnel, exchange of experience, training and mutual support in the international aviation context;

e) any other established working procedure that both Participants agree upon during the period of application of the MoU.

PARAGRAPH 4

Implementation of activities

1. In order to implement the activities mentioned in Paragraph 2, the Aviation Administration of Kazakhstan will inform the Romanian Civil Aeronautical Authority, in writing, mentioning the activity domain for which a collaboration is requested and will proceed to draft and sign a consultancy contract for granting technical assistance that will contain all technical and financial details of the collaboration between the Participants.

2. In the consultancy contract, the Participants will each nominate a representative, from the appropriate division, for every activity domain for which a collaboration request will be sent, that will see to the execution and application of the present MoU.

PARAGRAPH 5

Expenses

1. In accordance with the present MoU, working visits, at different levels of representation, will be carried out between the Participants.
2. If the Participants do not establish otherwise, the expenses resulted from the working visits and activities carried out by the Participants, (international transport, accommodation, payment, daily allowance and / or other justified expenses), in conformity with the present MoU, will be borne by the Contracting Participant. The Contracting Participant will forward the Beneficiary Participant all the documentation that justifies the compensation / clearance of expenses for the activities carried out in its interest, in accordance with the legal provisions applicable by the two Participants in their countries.

PARAGRAPH 6

Applicability

1. Nothing in this MoU is intended to create a binding legal agreement or to supersede, prejudice or otherwise derogate from the respective laws and regulations, administrative practices or procedures of either Participant. This MoU will not affect the rights and commitments of the Participants under any other international instrument.
2. This Memorandum of Understanding does not limit the authority of a Participant to take all appropriate and immediate measures whenever there's a reasonable risk that a product or a service might compromise the health or safety of persons and/ or not meet the applicable standards and regulations.

PARAGRAPH 7

Confidentiality

Neither Participant will, at any time, disclose to any third party, information of a confidential nature provided by the other Participant within the framework of this MoU, without the prior written consent of the other Participant, except when the disclosure is needed in order to respect the law.

PARAGRAPH 8
Exclusion of liability

In no event will a Participant be liable to the other for any direct, indirect, incidental, special or consequential damages of any kind whatsoever or not foreseeable, resulting from or arising in connection with the activities that are the subject of this MoU.

PARAGRAPH 9
Application

This Memorandum of Understanding (MoU) will become effective upon its signature and is valid for an indefinite period of time. This document can be amended by written consent of the two Participants. Such amendments will become effective in accordance with Paragraph 9 of this Memorandum.

Any Participant may notify the other Participant at any time on its intention to terminate this MoU by giving a six month advance written notice.

In witness whereof, this MoU is signed, in duplicate, in the English language, for and on behalf of the Participants by the undersigned, as their duly authorized representatives.

ROMANIAN CIVIL AERONAUTICAL AVIATION ADMINISTRATION OF THE
AUTHORITY REPUBLIC OF KAZAKHSTAN

NICOLAE STOICA

CĂTĂLIN RADU

DIRECTOR GENERAL

DIRECTOR GENERAL





DATE: 12.09.2022

DATE: 12.09.2022