



Treaty Series No. 38 (1938)

EXCHANGE OF NOTES

between His Majesty's Governments in the United Kingdom,
the Commonwealth of Australia and New Zealand and
the Government of India
and
the Government of Belgium
regarding

Documents of Identity for
Aircraft Personnel

Brussels, April 29, 1938

*Presented by the Secretary of State for Foreign Affairs
to Parliament by Command of His Majesty*

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EXCHANGE OF NOTES BETWEEN HIS MAJESTY'S GOVERNMENTS IN THE UNITED KINGDOM, THE COMMONWEALTH OF AUSTRALIA AND NEW ZEALAND AND THE GOVERNMENT OF INDIA AND THE GOVERNMENT OF BELGIUM REGARDING DOCUMENTS OF IDENTITY FOR AIRCRAFT PERSONNEL.

Brussels, April 29, 1938.

No. 1.

Sir R. H. Clive to M. Spaak.

M. le Ministre,

Brussels, April 29, 1938.

I HAVE the honour to state, on behalf of His Majesty's Governments in the United Kingdom of Great Britain and Northern Ireland, the Commonwealth of Australia, New Zealand, and of the Government of India, that they agree to the following provisions as constituting an agreement on a reciprocal basis between them and the Government of His Majesty the King of the Belgians:—

- (1) As from the date of this note, all Belgian nationals arriving by air as members of the operating personnel of aircraft employed on regular Belgian air lines and registered in Belgium, the Belgian Congo or Ruanda-Urundi, may enter the United Kingdom of Great Britain and Northern Ireland, the Commonwealth of Australia, New Zealand and India, upon the production, in lieu of national passports, of a licence in the form of which a specimen is hereto attached.⁽¹⁾
- (2) The above provision is regarded as also applying to Newfoundland, to all British colonies and to all territories under the protection of His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas; Emperor of India, and to the following territories in respect of which mandates on behalf of the League of Nations have been accepted by Him, namely, Palestine (including Transjordan), Tanganyika, the Cameroons under British mandate, and Togoland under British mandate (administered by His Majesty's Government in the United Kingdom), New Guinea (administered by His Majesty's Government in the Commonwealth of Australia), Western Samoa (administered by His Majesty's Government in New Zealand), and Nauru (at present administered by His Majesty's Government in the Commonwealth of Australia).

⁽¹⁾ Not reproduced.

- (3) As from the date of this note, all British subjects or British-protected persons arriving by air as members of the operating personnel of aircraft employed on regular British air lines, and registered in any of the territories under the sovereignty, protection, suzerainty or mandate of His Majesty The King of Great Britain, Ireland, the British Dominions beyond the Seas, Emperor of India, referred to in paragraphs (1) and (2) above, may enter Belgium, the Belgian Congo and Ruanda-Urundi, upon the production, in lieu of national passports, of certificates of competency and licences in the form of which specimens are hereto attached.⁽²⁾ (The specimens attached are of certificates issued in the United Kingdom. The certificates and licences issued in the Commonwealth of Australia, New Zealand, India, Newfoundland and in the British colonies, Protectorates and Mandated Territories concerned are in the standard form prescribed in Annex E to the International Air Navigation Convention, and are thus similar in form to those issued in the United Kingdom. They contain, however, appropriate variations in matters of detail.)
- (4) The present agreement shall not affect existing requirements in respect of visas for entry into the territories concerned.
- (5) The provisions of the agreement do not absolve holders of certificates in either of the forms hereto annexed from compliance with the immigration regulations in force at the place of arrival.
- (6) The licences referred to in provision (1) and the certificates of competency and licences referred to in provision (3) shall be exempt from stamping on entry and departure.

2. The operation of the agreement is limited in all cases to persons who are not prohibited immigrants in the terms of the Immigration Regulations in force at the place of arrival.

3. This agreement shall remain in force until six months after notice of termination has been given. Such notification shall specify the Government or Governments in respect of which termination is desired.

4. The present note and your Excellency's reply of the same date in a similar sense shall be regarded as placing on record the understanding arrived at in this matter.

I avail, &c.

R. H. CLIVE.

(2) Not reproduced.

M. Spaak to Sir R. H. Clive.

Ministère des Affaires Etrangères,

M. le Ambassadeur,

Bruxelles, le 29 avril 1938.

J'AI l'honneur d'informer votre Excellence, au nom du Gouvernement de Sa Majesté le Roi des Belges, qu'il accepte les dispositions ci-après constituant un accord sur une base de réciprocité entre lui et les Gouvernements de Sa Majesté dans le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, le Commonwealth d'Australie, la Nouvelle-Zélande et le Gouvernement de l'Inde. A partir de la date de la présente note, tous les sujets britanniques ou personnes jouissant de la protection britannique arrivant par la voie des airs en qualité de membres du personnel de service d'un aéronef employé sur des lignes régulières britanniques de navigation aérienne et immatriculé dans l'un quelconque des territoires placés sous la souveraineté, suzeraineté, protection ou le mandat de Sa Majesté le Roi de Grande-Bretagne, d'Irlande, des Territoires Britanniques au delà des mers, Empereur des Indes, peuvent entrer en Belgique, au Congo Belge et dans le Ruanda-Urundi, sur production, en lieu et place du passeport national, du brevet d'aptitude ou d'une licence.

A partir de la date de la présente note tous les ressortissants belges arrivant par la voie des airs en qualité de membres du personnel de service d'un aéronef employé sur des lignes régulières belges de navigation aérienne et immatriculé en Belgique, au Congo Belge ou dans le Ruanda-Urundi, peuvent, à titre de réciprocité, entrer dans le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, le Commonwealth d'Australie, la Nouvelle-Zélande et l'Inde, sur production, en lieu et place du passeport national, d'un brevet d'aptitude ou d'une licence.

Cette disposition s'applique également à Terre-Neuve, à toutes les colonies britanniques et à tous les territoires placés sous la protection ou le mandat de Sa Majesté le Roi de Grande-Bretagne, d'Irlande et des Territoires Britanniques au delà des mers, Empereur des Indes, ainsi qu'aux territoires ci-après sur lesquels des mandats au nom de la Société des Nations ont été acceptés par Lui, à savoir, la Palestine (y compris la Transjordanie), le Tanganyika, le Cameroun sous mandat britannique et le Togo sous mandat britannique (administrés par le Gouvernement de Sa Majesté dans le Royaume-Uni), la Nouvelle-Guinée (administrée par le Gouvernement de Sa Majesté dans le Commonwealth d'Australie), Samoa occidentale (administrée par le Gouvernement de Sa Majesté en Nouvelle-Zélande) et Nauru (administré actuellement par le Gouvernement de Sa Majesté dans le Commonwealth d'Australie).

Le présent accord n'affectera pas toutes prescriptions qui seraient éventuellement en vigueur en matière de visas pour l'entrée dans les territoires en cause.

Les dispositions de cet accord n'exempteront pas les titulaires de brevets d'aptitude ou de licences de se conformer aux règlements sur l'immigration en vigueur au lieu de leur arrivée.

Les brevets et licences dont il est question ci-dessus seront dispensés de l'estampillage tant à l'entrée qu'à la sortie.

Le bénéfice de l'accord est limité dans tous les cas aux personnes qui ne sont pas des immigrants interdits aux termes des règlements sur l'immigration en vigueur au lieu d'arrivée.

Cet accord, qui pourra être dénoncé à toute époque, restera encore en vigueur six mois après que notification de la dénonciation aura été donnée par l'une des parties contractantes.

Cette dénonciation pourra n'affecter qu'un ou plusieurs des territoires visés, l'accord restant en vigueur pour les autres territoires.

La présente note et celle de votre Excellence de la même date et d'une teneur similaire seront considérées comme constituant l'accord conclu en cette matière.

Je saisis, &c.

P. H. SPAAK.

(Translation.)

Ministry for Foreign Affairs,

Brussels, April 29, 1938.

M. l'Ambassadeur,

I HAVE the honour to inform your Excellency, on behalf of the Government of His Majesty the King of the Belgians that they agree to the following provisions as constituting an agreement on a reciprocal basis between them and His Majesty's Governments in the United Kingdom and Northern Ireland, the Commonwealth of Australia, New Zealand, and the Government of India :

As from the date of this note, all British subjects or British-protected persons arriving by air as members of the operating personnel of aircraft employed on regular British air lines, and registered in any of the territories under the sovereignty, suzerainty, protection or mandate of His Majesty The King of Great Britain, Ireland, the British Dominions beyond the Seas, Emperor of India, may enter Belgium, the Belgian Congo and Ruanda-Urundi, upon the production, in lieu of a national passport, of a certificate of competency or of a licence.

As from the date of this note, all Belgian nationals arriving by air as members of the operating personnel of aircraft employed on regular Belgian air lines and registered in Belgium, the Belgian Congo or Ruanda-Urundi, may, on a reciprocal basis, enter the United Kingdom of Great Britain and Northern Ireland, the Commonwealth of Australia, New Zealand and India, upon the production, in lieu of a national passport, of a certificate of competency or of a licence.

The above provision is regarded as also applying to Newfoundland, to all British colonies and to all territories under the protection of His Majesty The King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, and to the following

territories in respect of which mandates on behalf of the League of Nations have been accepted by Him, namely, Palestine (including Transjordan), Tanganyika, the Cameroons under British mandate, and Togoland under British mandate (administered by His Majesty's Government in the United Kingdom), New Guinea (administered by His Majesty's Government in the Commonwealth of Australia), Western Samoa (administered by His Majesty's Government in New Zealand), and Nauru (at present administered by His Majesty's Government in the Commonwealth of Australia).

The present agreement shall not affect existing requirements in respect of visas for entry into the territories concerned.

The provisions of the agreement do not absolve holders of certificates of competency or licences from compliance with the immigration regulations in force at the place of arrival.

The certificates of competency and licences referred to above shall be exempt from stamping on entry and departure.

The operation of the agreement is limited in all cases to persons who are not prohibited immigrants in the terms of the immigration regulations in force at the place of arrival.

This agreement, which may be denounced at any time, shall remain in force for six months after notice of denunciation by one of the contracting parties.

Such denunciation shall affect only those territories specified, the agreement remaining in force for the other territories.

The present note and your Excellency's reply of the same date in a similar sense shall be regarded as placing on record the understanding arrived at in this matter.

I avail, &c.

P. H. SPAAK.