



Treaty Series No. 8 (1951)

Exchange of Notes

between the Government of Great Britain and Northern Ireland
and the Government of the United States of America
terminating the Air Navigation Arrangement
of 28th March/5th April, 1935,

Washington, 29th September/23rd October, 1950

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

LONDON
HIS MAJESTY'S STATIONERY OFFICE
TWO PENCE NET

Cmd. 8137

EXCHANGE OF NOTES BETWEEN THE GOVERNMENT OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA TERMINATING THE AIR NAVIGATION ARRANGEMENT OF 28th MARCH/5th APRIL, 1935.

Washington, 29th September/23rd October, 1950

No. 1

His Majesty's Ambassador at Washington to the United States Secretary of State

British Embassy,

Sir, *Washington, D.C., 29th September, 1950.*

I HAVE the honour to refer to the Exchange of Notes dated 28th March and 5th April, 1935,⁽¹⁾ between His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland and the Government of the United States of America respecting Air Navigation.

2. The arrangements set out in this Exchange of Notes were expressed in paragraph 1 of each Note to be made "pending the conclusion of a treaty in regard to air navigation." His Majesty's Government therefore consider that, since both they and the United States Government are parties to the Convention on International Civil Aviation opened for signature at Chicago on 7th December, 1944,⁽²⁾ the application of the Exchange of Notes should now be terminated.

3. Should the United States Government agree, I suggest that the present Note and your reply should be regarded as constituting an agreement between the two Governments, terminating, with effect from two calendar months after the date of receipt of your Note, the arrangement embodied in the Exchange of Notes of 1935.⁽¹⁾

I avail, &c.

(Sd.) OLIVER FRANKS.

No. 2

The United States Secretary of State to His Majesty's Ambassador at Washington

Department of State,

Excellency, *Washington, D.C., 23rd October, 1950.*

I HAVE the honor to acknowledge the receipt of your note of 29th September, 1950, in which you suggest that the arrangement between the United States of America and the Government of the United Kingdom and Northern Ireland relating to air navigation, effected by an exchange of notes signed 28th March and 5th April, 1935,⁽¹⁾ should be terminated with effect from two calendar months after the date of the receipt of a note from this Government in reply to your note of 29th September.

⁽¹⁾ "Treaty Series No. 35 (1935)," Cmd. 5006.

⁽²⁾ "Miscellaneous No. 6 (1945)," Cmd. 6614.

This Government agrees that the Convention on International Civil Aviation which became effective on 4th April, 1947,⁽²⁾ and to which the Government of the United States and the Government of the United Kingdom are both parties, constitutes a treaty in regard to air navigation such as was contemplated in the arrangements set forth in the notes referred to above. It is, therefore, agreed that the air navigation arrangement of 1935 should be considered terminated in accordance with the suggestion in your note of 29th September, 1950.

Article 10 of the Air Services Agreement between the United States and the United Kingdom which became effective on 11th February, 1946⁽³⁾, provides that "Except as may be modified by the present Agreement, the general principles of the air navigation arrangement between the two Contracting Parties, which was effected by an Exchange of Notes dated 28th March and 5th April, 1935,⁽¹⁾ shall continue in force in so far as they are applicable to scheduled international air services, until otherwise agreed by the Contracting Parties." It is the belief of this Government that the general principles of air navigation referred to in the provision quoted are embodied in the Convention on International Civil Aviation and that in terminating the bilateral air navigation arrangement of 1935⁽¹⁾ the Governments of the United States and the United Kingdom may agree that the general principles of that Convention shall apply to the air transport services provided for in the Air Services Agreement of 1946.⁽³⁾

Accept, &c.

For the Secretary of State:

(Sd.) WILLARD L. THORP.

No. 3

*His Majesty's Ambassador at Washington to the
United States Secretary of State*

British Embassy,

Washington, D.C., 7th November, 1950.

Sir,

His Majesty's Ambassador for the United Kingdom presents his compliments to the Secretary of State and has the honour to acknowledge receipt on 24th October of his Note of 23rd October, 1950, concerning the termination of the 1935 Air Navigation Exchange of Notes.

I avail, &c.

(Sd.) OLIVER FRANKS.

(1) "Treaty Series No. 35 (1935)," Cmd. 5006.
(2) "Miscellaneous No. 6 (1945)," Cmd. 6614.
(3) "Treaty Series No. 3 (1946)," Cmd. 6747.

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