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SWITZERLAND



Treaty Series No. 66 (1955)

Exchange of Notes

between the Governments of the
United Kingdom of Great Britain and Northern Ireland
and New Zealand and the Government of Switzerland

terminating the Agreement of the
17th of May, 1938, regarding Documents
of Identity for Aircraft Personnel

Berne, December 23, 1954/May 9, 1955

*Presented by the Secretary of State for Foreign Affairs to Parliament
by Command of Her Majesty
October 1955*

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EXCHANGE OF NOTES BETWEEN THE GOVERNMENTS OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND NEW ZEALAND AND THE GOVERNMENT OF SWITZERLAND TERMINATING THE AGREEMENT OF THE 17th OF MAY, 1938, REGARDING DOCUMENTS OF IDENTITY FOR AIRCRAFT PERSONNEL

Berne, December 23, 1954/May 9, 1955

No. 1

Her Majesty's Ambassador at Berne to the Head of the Swiss Political Department

British Embassy,

Monsieur le Conseiller Fédéral,

Berne, December 23, 1954.

I have the honour to refer to the Agreement constituted by the Notes exchanged at Berne on the 17th of May, 1938,⁽¹⁾ between the Government of Switzerland and Her Majesty's Governments in the United Kingdom of Great Britain and Northern Ireland, in the Commonwealth of Australia, and in New Zealand, and the Government of India, regarding the acceptance of licences or certificates of competency of the operating personnel of aircraft employed on regular airlines in lieu of national passports.

In the view of Her Majesty's Governments in the United Kingdom and in New Zealand the arrangements set out in the above-mentioned Agreement have been superseded by paragraph 3.10 of the first edition of Annex 9 to the Convention on International Civil Aviation (paragraph 3.9 in the current second edition). The first edition of Annex 9 came into force on the 1st of March, 1950. If this view is also shared by the Government of Switzerland, I have the honour to propose that the said Agreement should be formally terminated in respect of Her Majesty's Governments in the United Kingdom and in New Zealand and the Government of Switzerland.

If the foregoing proposal is acceptable to the Government of Switzerland, I have the honour to suggest that the present Note and your Excellency's reply in that sense should be regarded as constituting an Agreement between the Government of Switzerland and Her Majesty's Governments in the United Kingdom of Great Britain and Northern Ireland and in New Zealand terminating, after a lapse of 6 months from to-day's date, the arrangements set out in the Exchange of Notes of the 17th of May, 1938.

I have, &c.

L. H. LAMB.

No. 2

The Head of the Swiss Political Department to Her Majesty's Ambassador at Berne

Département Politique Fédéral,

Monsieur l'Ambassadeur,

Berne, le 9 mai 1955.

Par lettre du 23 décembre 1954, vous avez bien voulu nous faire connaître que, de l'avis des Gouvernements de Sa Majesté dans le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord et en Nouvelle-Zélande, les

⁽¹⁾ "Treaty Series No. 65 (1938)," Cmd. 5857.

dispositions de l'arrangement visant à faire admettre, à la place des passeports nationaux, les licences et certificats d'aptitude du personnel de conduite des aéronefs en service sur les lignes aériennes régulières, conclu par échange de lettres à Berne, le 17 mai 1938, entre le Conseil fédéral suisse, d'une part, les Gouvernements de Sa Majesté dans le Royaume-Uni, dans le Commonwealth d'Australie et en Nouvelle-Zélande et le Gouvernement de l'Inde, d'autre part, sont maintenant dépassées par le paragraphe 3.10 de la première édition de l'annexe 9—entrée en vigueur le 1^{er} mars 1950—à la convention relative à l'aviation civile internationale, du 7 décembre 1944 (paragraphe 3.9 de la seconde édition de cette annexe). En même temps vous avez proposé que, si tel est aussi l'avis du Conseil fédéral, il soit mis fin à l'arrangement dont il s'agit dans les relations entre le Conseil fédéral suisse, d'une part, les Gouvernements de Sa Majesté dans le Royaume-Uni et en Nouvelle-Zélande, d'autre part. En pareil cas, la suppression de cet arrangement serait consacrée par l'accord que constitueraient votre communication et la réponse qui y serait donnée et elle prendrait effet à l'expiration d'un délai de six mois dès le 23 décembre 1954.

Nous avons l'honneur de porter à la connaissance de Votre Excellence que le Conseil fédéral partage l'avis des Gouvernements de Sa Majesté dans le Royaume-Uni et en Nouvelle-Zélande, selon lequel les dispositions de l'arrangement du 17 mai 1938 sont maintenant dépassées. Il est donc d'accord de donner suite à la proposition de ces Gouvernements et considère que l'arrangement dont il s'agit prendra fin, dans les relations entre le Conseil fédéral suisse et les Gouvernements de Sa Majesté dans le Royaume-Uni et en Nouvelle-Zélande, dans un délai de six mois dès le 23 décembre 1954, soit le 23 juin 1955.

Veuillez agréer, &c.
MAX PETITPIERRE.

(Translation of No. 2)

Département Politique Fédéral,

Berne, le 9 mai 1955.

Monsieur l'Ambassadeur,

In your letter of the 23rd of December, 1954, you have kindly informed us that, in the view of Her Majesty's Governments in the United Kingdom of Great Britain and Northern Ireland and in New Zealand, the terms of the arrangement, which was designed to allow the acceptance in place of national passports of the licences and certificates of competency of the operating personnel of aircraft in service on regular airlines and which was constituted by the Exchange of Notes at Berne on the 17th of May, 1938, between the Swiss Federal Council on the one hand and Her Majesty's Governments in the United Kingdom, in the Commonwealth of Australia and in New Zealand and the Government of India on the other, are now superseded by paragraph 3.10 of the first edition of Annex 9—which entered into force on 1st of March, 1950—to the Convention on International Civil Aviation of 7th of December, 1944 (paragraph 3.9 of the second edition of this Annex). At the same time you have proposed that, if this is also the view of the Federal Council, it would bring to an end the arrangement as it affects relations between the Swiss Federal Council on the one hand and Her Majesty's Governments in the United Kingdom and in New Zealand on the other. Similarly the termination of this arrangement would be confirmed by the Agreement which your Note and the reply to be given thereto would constitute and it would take effect at the end of a period of six months from the 23rd of December, 1954.

We have the honour to inform your Excellency that the Federal Council shares the view of Her Majesty's Governments in the United Kingdom and

in New Zealand that the terms of the arrangement of 17th of May, 1938, are now superseded. The Council therefore agrees to carry out the proposal of these governments and considers that the arrangement in so far as it affects relations between the Swiss Federal Council and Her Majesty's Governments in the United Kingdom and in New Zealand shall be terminated after a lapse of six months from the 23rd of December, 1954, that is on the 23rd of June, 1955.

Please accept, &c.

MAX PETITPIERRE.

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