



Treaty Series No. 15 (1934)

[Reprint of "Union of South Africa Treaty Series No. 4 (1933)"]

Exchange of Notes

between the Governments of the Union of South Africa
and the United States of America
regarding the

Issue of Licences to Pilot Civil Aircraft

Pretoria, March 17/September 20, 1933

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

LONDON

PRINTED AND PUBLISHED BY HIS MAJESTY'S STATIONERY OFFICE
To be purchased directly from H.M. STATIONERY OFFICE at the following addresses
Adastral House, Kingsway, London, W.C.2; 120, George Street, Edinburgh 2
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1934

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Cmd. 4603

EXCHANGE OF NOTES BETWEEN THE GOVERNMENTS OF
THE UNION OF SOUTH AFRICA AND THE UNITED
STATES OF AMERICA REGARDING THE ISSUANCE BY
EACH COUNTRY OF LICENCES TO NATIONALS OF
THE OTHER COUNTRY AUTHORISING THEM TO PILOT
CIVIL AIRCRAFT.

Pretoria, March 17/September 20, 1933.

No. 1.

Mr. Totten to General Hertzog.

(No. 167.)
Sir,

*Legation of the United States of America,
Pretoria, March 17, 1933.*

I HAVE the honour to communicate the text of the arrangement between the United States of America and the Union of South Africa providing for the issuance by each country of licences to nationals of the other country authorising them to pilot civil aircraft, as understood by me to have been agreed to in the negotiations which have just been concluded between the Legation and your Ministry, as evidenced by your note of the 13th March, 1933 (File No. P.M. 66/1/1).⁽¹⁾

ARRANGEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE
UNION OF SOUTH AFRICA PROVIDING FOR THE ISSUANCE BY EACH
COUNTRY OF LICENCES TO NATIONALS OF THE OTHER COUNTRY
AUTHORISING THEM TO PILOT CIVIL AIRCRAFT.

ARTICLE 1.

The present arrangement between the United States of America and the Union of South Africa relates to the issuance by each country of licences to nationals of the other country for the piloting of civil aircraft. The term "civil aircraft" shall be understood to mean aircraft used for private, industrial, commercial or transport purposes.

ARTICLE 2.

(a) The Department of Defence of the Union of South Africa will issue pilots' licences to American nationals upon a showing that they are qualified under the regulations of that Department covering the licensing of pilots.

⁽¹⁾ Not reproduced.

(b) The Department of Commerce of the United States of America will issue pilots' licences to nationals of the Union of South Africa upon a showing that they are qualified under the regulations of that Department covering the licensing of pilots.

ARTICLE 3.

(a) Pilots' licences issued by the Department of Commerce of the United States of America to nationals of the Union of South Africa shall entitle them to the same privileges as are granted by pilots' licences issued to American nationals.

(b) Pilots' licences issued by the Department of Defence of the Union of South Africa to American nationals shall entitle them to the same privileges as are granted by pilots' licences issued to nationals of the Union of South Africa.

ARTICLE 4.

Pilots' licences issued to nationals of the one country by the competent authority of the other country shall not be construed to accord to the licensees the right to register aircraft in such other country.

ARTICLE 5.

Pilots' licences issued to nationals of the one country by the competent authority of the other country shall not be construed to accord to the licensees the right to operate aircraft in air commerce wholly within territory of such other country reserved to national aircraft, unless the aircraft have been registered under the laws of the country issuing the pilots' licences.

ARTICLE 6.

(a) Nationals of the Union of South Africa shall, while holding valid pilot licences issued by the Department of Defence of the Union of South Africa, be permitted to operate in Continental United States of America, exclusive of Alaska, for non-industrial or non-commercial purposes for a period not exceeding six months from the time of entering that country, any civil aircraft registered by the Department of Defence of the Union of South Africa, and/or any civil aircraft registered by the United States Department of Commerce. The period of validity of the licences first mentioned in this paragraph shall, for the purpose of this paragraph, include any renewal of the licence by the pilot's own Government made after the pilot has entered Continental United States of America. No person to whom this paragraph applies shall be allowed to operate civil aircraft in Continental United States of America, exclusive of Alaska, for non-industrial or non-commercial purposes for a period of more than six months from the time of entering that country, unless he shall, prior to the expiration of such period, have obtained a pilot

licence from the United States Department of Commerce in the manner provided for in this arrangement.

(b) American nationals shall, while holding valid pilot licences issued by the United States Department of Commerce, be permitted to operate in the Union of South Africa for non-industrial or non-commercial purposes for a period not exceeding six months from the time of entering that country, any civil aircraft registered by the United States Department of Commerce, and/or any civil aircraft registered by the Department of Defence of the Union of South Africa. The period of validity of the licences first mentioned in this paragraph shall, for the purpose of this paragraph, include any renewal of the licence by the pilot's own Government made after the pilot has entered the Union of South Africa. No person to whom this paragraph applies shall be allowed to operate civil aircraft in the Union of South Africa for non-industrial or non-commercial purposes for a period of more than six months from the time of entering that country, unless he shall, prior to the expiration of such period, have obtained a pilot's licence from the Department of Defence of the Union of South Africa in the manner provided for in this arrangement.

(c) The conditions under which pilots of the nationality of either country may operate aircraft of their country in the other country, as provided for in this article, shall be as stipulated in the air navigation arrangement in force between the parties to this arrangement for the issuance of pilot licences; and the conditions under which pilots of the nationality of either country may operate aircraft of the other country, as provided for in this article, shall be in accordance with the requirements of such other country.

ARTICLE 7.

The present arrangement shall be subject to termination by either Party upon sixty days' notice given to the other Party or by the enactment by either Party of legislation inconsistent therewith.

If you inform me that it is the understanding of your Government that the arrangement agreed upon is as herein set forth, the arrangement will be considered to be operative from the date of the receipt of your note so advising me.

I have, &c.

RALPH J. TOTTEN,

*Envoy Extraordinary and Minister Plenipotentiary
of the United States of America.*

No. 2.

General Hertzog to Mr. Totten.

*Department of External Affairs,
Pretoria, September 20, 1933.*

Sir,

I HAVE the honour to refer to your letter No. 167 of the 17th March last regarding the proposed arrangement between the Union of South Africa and the United States of America providing for the issuance by each country of licences to Nationals of the other country authorising them to pilot civil aircraft, and to inform you that His Majesty's Government in the Union of South Africa are in accord with the terms of the arrangement, which is, word for word, as follows:—

(Here follows the text of the arrangement as in No. 1 above.)

It is further agreed that the arrangement will be operative as from the date of this note.

I have, &c.

J. B. M. HERTZOG,
Minister of External Affairs.

