



Treaty Series No. 35 (1939)

[Reprint of "Canadian Treaty Series No. 9 (1938)"]

EXCHANGE OF NOTES

between the Governments of Canada and
the United States of America

relating to

CERTIFICATES OF COMPETENCY OR LICENCES FOR PILOTING CIVIL AIRCRAFT

Washington, July 28, 1938

*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:

York House, Kingsway, London, W.C.2; 120 George Street, Edinburgh 2;

26 York Street, Manchester 1; 1 St. Andrew's Crescent, Cardiff;

80 Chichester Street, Belfast;

or through any bookseller

1939

Price 1*d.* net

Cmd. 6066

EXCHANGE OF NOTES BETWEEN THE GOVERNMENTS OF
CANADA AND THE UNITED STATES OF AMERICA RELATING
TO CERTIFICATES OF COMPETENCY OR LICENCES FOR
PILOTING CIVIL AIRCRAFT.

Washington, July 28, 1938.

No. 1.

*From the United States Secretary of State to the Canadian Minister
to the United States.*

Sir,

July 28, 1938.

I HAVE the honour to refer to negotiations which have recently taken place between the Government of the United States of America and the Government of Canada for the conclusion of a reciprocal arrangement for the issuance by each country of certificates of competency or licences to nationals of the other country for the piloting of civil aircraft.

It is my understanding that it has been agreed in the course of the negotiations, now terminated, that the arrangement shall be as follows:—

*Arrangement between the United States of America and Canada
relating to the Issuance of Certificates of Competency or Licences
for the Piloting of Civil Aircraft.*

ARTICLE 1.

(a) The present arrangement between the United States of America and Canada relates to the issuance by the competent authorities of each country of pilot certificates of competency or licences to nationals of the other country for the piloting of civil aircraft.

(b) The term "civil aircraft" shall for the purpose of this arrangement be understood to mean all aircraft other than military, naval, customs and police aircraft.

(c) Either country issuing certificates of competency or licences to nationals of the other country for the piloting of civil aircraft, as defined in the preceding paragraph, reserves, however, the right to limit such issuance to the operation of civil aircraft for non-commercial purposes.

ARTICLE 2.

Pursuant to the provisions of Article 1, the competent United States authorities will issue pilot certificates of competency or licences to nationals of Canada, upon a showing that they are qualified under the regulations of the United States covering the issuance of such certificates or licences.

ARTICLE 3.

Pursuant to the provisions of Article 1, the competent Canadian authorities will issue pilot certificates of competency or licences to nationals of the United States, upon a showing that they are qualified under the regulations of Canada covering the issuance of such certificates or licences.

ARTICLE 4.

Subject to the provisions of Articles 1 and 2, pilot certificates of competency or licences issued by the competent United States authorities to nationals of Canada shall entitle them to the same privileges in the matter of air pilotage as are granted by pilot certificates of competency or licences issued to nationals of the United States.

ARTICLE 5.

Subject to the provisions of Articles 1 and 3, pilot certificates of competency or licences issued by the competent Canadian authorities to nationals of the United States shall entitle them to the same privileges in the matter of air pilotage as are granted by pilot certificates of competency or licences issued to nationals of Canada.

ARTICLE 6.

(a) The present arrangement shall be subject to termination by either Government upon sixty days' notice given in writing to the other Government.

(b) On the date that the present arrangement becomes effective, the reciprocal arrangement between the United States of America and Canada for the admission of civil aircraft, the issuance by each country of pilots' licences to nationals of the other country and the reciprocal acceptance of certificates of airworthiness for aircraft imported as merchandise, entered into by an exchange of notes dated the 29th August, 1929, and the 22nd October, 1929,⁽¹⁾ will be supplanted in so far as it sets forth the conditions governing the issuance by each country of pilots' licences to nationals of the other country.

I shall be glad to have you inform me whether it is the understanding of your Government that the terms of the arrangement agreed to in the negotiations are as above set forth. If so, it is suggested that the arrangement become effective on the 1st August, 1938. If your Government concurs in this suggestion the Government of the United States will regard it as becoming effective on that date.

Accept, &c.

CORDELL HULL.

(1) "Treaty Series No. 8 (1931)," Cmd. 3773.

No. 2.

*From the Canadian Minister to the United States to the Secretary
of State of the United States.*

(No. 176.)

Sir,

July 28, 1938.

I HAVE the honour to acknowledge the receipt of your note of the 28th July, 1938, in which you communicated to me the terms of a reciprocal arrangement between Canada and the United States of America for the issuance by each country of certificates of competency or licences to nationals of the other country for the piloting of civil aircraft, as understood by you to have been agreed to in negotiations, now terminated, between the Government of Canada and the Government of the United States of America.

The terms of this arrangement which you have communicated to me are as follows:—

[As in No. 1.]

I am instructed to state that the terms of the arrangement as communicated to me are agreed to by my Government.

I am further instructed to inform you that my Government concurs in your suggestion that the arrangement become effective on the 1st August, 1938, and will accordingly regard it as becoming effective on that date.

I have, &c.

HERBERT M. MARLER.