

N° 3413.

**UNION SUD - AFRICAINE ET
ÉTATS-UNIS D'AMÉRIQUE**

Echange de notes comportant un arrangement relatif à la délivrance par l'un des deux pays aux ressortissants de l'autre pays de brevets les autorisant à piloter des aéronefs civils. Pretoria, les 17 mars et 20 septembre 1933.

**UNION OF SOUTH AFRICA
AND
UNITED STATES OF AMERICA**

Exchange of Notes constituting an Arrangement regarding the Issuance by Each Country of Licenses to Nationals of the Other Country authorizing them to pilot Civil Aircraft. Pretoria, March 17th and September 20th, 1933.

No. 3413. — EXCHANGE OF NOTES¹ BETWEEN HIS MAJESTY'S GOVERNMENT IN THE UNION OF SOUTH AFRICA AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA CONSTITUTING AN ARRANGEMENT REGARDING THE ISSUANCE BY EACH COUNTRY OF LICENSES TO NATIONALS OF THE OTHER COUNTRY AUTHORIZING THEM TO PILOT CIVIL AIRCRAFT. PRETORIA, MARCH 17TH, AND SEPTEMBER 20TH, 1933.

*English official text communicated by the Minister for External Affairs of the Union of South Africa.
The registration of this Exchange of Notes took place April 21st, 1934.
This Exchange of Notes was transmitted to the Secretariat by the Department of State of the Government of the United States of America, February 15th, 1934.*

No. 1.

MR. TOTTEN TO GENERAL HERTZOG.

LEGATION
OF THE UNITED STATES OF AMERICA.

No. 167.

PRETORIA, *March 17th, 1933.*

SIR,

I have the honor 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 licenses to nationals of the other country authorizing 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 March 13th, 1933 (File No. P. M. 66/1/1).

ARRANGEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE UNION OF SOUTH AFRICA PROVIDING FOR THE ISSUANCE BY EACH COUNTRY OF LICENSES TO NATIONALS OF THE OTHER COUNTRY AUTHORIZING 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 licenses 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.

¹ Came into force September 20th, 1933.

¹ TRADUCTION. — TRANSLATION.

N^o 3413. — ÉCHANGE DE NOTES² ENTRE LE GOUVERNEMENT DE SA MAJESTÉ DANS L'UNION SUD-AFRICAINE ET LE GOUVERNEMENT DES ÉTATS-UNIS D'AMÉRIQUE, COMPORTANT UN ARRANGEMENT RELATIF A LA DÉLIVRANCE PAR L'UN DES DEUX PAYS AUX RESSORTISSANTS DE L'AUTRE PAYS DE BREVETS LES AUTORISANT A PILOTER DES AÉRONEFS CIVILS. PRETORIA, LES 17 MARS ET 20 SEPTEMBRE 1933.

Texte officiel anglais communiqué par le ministre des Affaires étrangères de l'Union Sud-Africaine. L'enregistrement de cet échange de notes a eu lieu le 21 avril 1934. Cet échange de notes a été transmis au Secrétariat par le «Department of State» du Gouvernement des Etats-Unis d'Amérique le 15 février 1934.

N^o 1.

M. TOTTEN AU GÉNÉRAL HERTZOG.

LÉGATION
DES ÉTATS-UNIS D'AMÉRIQUE.N^o 167.

PRETORIA, le 17 mars 1933.

MONSIEUR LE MINISTRE,

J'ai l'honneur de vous communiquer le texte de l'arrangement intervenu entre les Etats-Unis d'Amérique et l'Union Sud-Africaine en vue de la délivrance par chacun des deux pays aux ressortissants de l'autre pays de brevets les autorisant à piloter des aéronefs civils, tel qu'à ma connaissance il a été arrêté au cours des négociations qui viennent de se terminer entre la Légation et votre Ministère, ainsi qu'il ressort de votre note du 13 mars 1933 (dossier N^o P. M. 66/1/r).

ARRANGEMENT ENTRE LES ÉTATS-UNIS D'AMÉRIQUE ET L'UNION SUD-AFRICAINE EN VUE DE LA DÉLIVRANCE PAR CHACUN DES DEUX PAYS AUX RESSORTISSANTS DE L'AUTRE PAYS DE BREVETS LES AUTORISANT A PILOTER DES AÉRONEFS CIVILS.

Article premier.

Le présent arrangement entre les Etats-Unis d'Amérique et l'Union Sud-Africaine a trait à la délivrance, par chacun des deux pays, de brevets aux ressortissants de l'autre pays pour le pilotage d'aéronefs civils. Le terme « aéronefs civils » s'entendra des aéronefs servant aux usages privés, industriels ou commerciaux, ou aux transports.

¹ Traduit par le Secrétariat de la Société des Nations, à titre d'information.

¹ Translated by the Secretariat of the League of Nations, for information.

² Entré en vigueur le 20 septembre 1933.

Article 2.

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

(b) The Department of Commerce of the United States of America will issue pilots' licenses 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' licenses 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' licenses issued to American nationals.

(b) Pilots' licenses 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' licenses issued to nationals of the Union of South Africa.

Article 4.

Pilots' licenses 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' licenses 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' licenses.

Article 6.

(a) Nationals of the Union of South Africa shall while holding valid pilot licenses 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 licenses first mentioned in this paragraph shall, for the purpose of this paragraph, include any renewal of the license 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 license from the United States Department of Commerce in the manner provided for in this Arrangement.

(b) American nationals shall while holding valid pilot licenses 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 licenses first mentioned in this paragraph shall, for the purpose of this paragraph, include any renewal of the license 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 license 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 licenses ; 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, etc.

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 20th, 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 authorizing 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, etc.

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

Certified a true copy :

H. D. J. Bodenstein,
Secretary for External Affairs.
Capetown, 3rd April, 1934.